App F IX 4

Previous References

1937 (mc)

File No [illegible]

Serial Nos. 1-4, 8, 9, 11, 14, 15, 18, 19, 20, 21, 88, 89, 90, 92, 93, 97, 100, 102

Later References
4 4 34 38-1-8, 13, 15, 17 18, 19 23 24

General and Revenue Secretariat.

Serial Nos Twenty-one

Part B for Jan 1931

SUBJECT

~~Illegal practices~~ dismissal and prosecution of Mr R Muniruddappa, manager of the Mysore Sewage Farm for certain illegal practices at the time of his retirement to the Gardens department

8188 To the President, Agricultural Improvement
" Director of Horticulture
" Comptroller to Government

No L 2200-2202/mc 3-29-88 dt 9-9-31

Order that the order of dismissal of Mr Muniruddappa be revoked and that

General and Revenue Secretariat

Mil File No 3 of 1929

Serial No

From The President, Mysore Cig and a
No. S T 2622 & 2 7 29
Solicits, under the circumstances explained, sanction to the resolution of the Municipal Council to reduce the pay of Mr M R Muniseddappa, Manager of the Sewage Farm at Mysore from Rs 100 in the grade Rs 80-5-100 to Rs 75/- fixed with effect from 29-6-29

1) The resolution of the Municipal Council does not appear to be defective
2) Draft sanction if the proposal of the President is submitted for approval or other orders

Sd/ 5 7 29

3) Mr — for Consideration whether the circumstances of the case do not deserve a lighter punishment ~~xxxxxxxx~~
~~xxxxxxx~~ 4) Sundry) MR 5/7

5) The farm manager admits items 1 2 & 4 of the charge made against him in the first part of the P & D He pleads that

E—Contn Sheet

WD 01714—GPB—30 000—18-4-28

eneral and Revenue Secretariat | File No | of 192

Serial No

that they used are practices authorised and adopted for the benefit of the farm which the President puts them down as malpractices The farm Manager does not admit item #2 A notice to the Manager was issued on 14 6 29 and he submitted his explanation on 19 6 29 justifying his actions on items 1 2 + 4 and denying item 3 So far the only thing looking black against him is that a requisition sent to him for products of accounts pertaining to items and which he admits as being maintained by him was refused by them The P-V D does not state when the requisition was sent and when it was got back and it does not accompany the P V.D As items 1 2 & 3 are admitted by him no justification can only be made out by their accounts

NOTE—Contn Sheet

WD 01714—GPB—30 000—18-4 28

Serial No

available and by no other means
It is just possible that with this accusation
preferred against him his refusal of
the requisitionn may have been due to
his desire to safeguard the accounts
and produce the same before such offic
authority as would dispassionately
hear both sides before the accusations
are brought home to him It would
only be right to give him an oppor
tunity to clear his conduct

6) If after such opportunity is given and
he fails to disprove the charges against
him the punishment now proposed
be comes entirely inadequate In such
circumstances I want to suggest that
the matter may be placed in the hands
of the Deputy Comr by some Dist who
may conduct an informal enquiry
and hear the manager and submit
his report to Govt for orders

K.R.
8/7/29

7) Second member

8) Dewan

8/7/29
MV

OFF F
S M
8 JULY 1929
No 2484

W D 01684—GPB— 0 000— 0 4 29

101/Legy

Serial No

9) I dont think any other enquiry need be ordered at this stage

10) The disciplinary control over these employees rests in the Municipal Council & Govt need not ordinarily go behind the decision of that body

11) If the man appeals against the ~~order of the~~ punishment now awarded, we may then see if any further enquiry is needed - The refusal & even the non production of the "Pooja" accounts reflects on the bonafides of the explanation

12) A Shanti puja involving the feeding of 1000 people seems disproportionately costly for a small farm like this!

13) The proposal of the Municipal President may be accepted

egy 8/7

12) Dewan

DEWAN'S OFFICE 10 JUL 1929 No D5

OFFICE OF THE SECRETARIAT 1 JUL 1929 No 4412

15) The man really deserves the maximum punishment - I feel strongly he should be dismissed, unless the Municipality thinks otherwise — at all events, I think that he should be sacked — He has proved a thorough rogue & fool with thousands of rupees loss

b) The original bill should be kept in the file so that in case a bachelor chooses to see the head Lemon is amazing me It is simply preposterous that such an extravagant office should exist

Note Column Sheet

IWD 01684—GPB— 0 000—20 4 29

Second Member

General and Revenue Secretariat | ML File No 3 | App F III—2] of 1929-30

Serial No

21) Draft submitted for approval
Sd/- 13 7 29 "G"

Mean while the Mill Owners Association have filed an appeal today 17/7

3 From The President Ag- Mill Cl Bijapur
No S 7 2787 & 10 7 1929
To Copy of Application dtd 7-7 29 from M/s M R Mill Siddapur Manager. Sewage Farm Bijapur, praying that order may not be passed till his appeal to be filed is disposed of

22) Sent for orders with a draft as ordered
Sd/- 13 7 29 "G"

23) Sent Secy) 17/7

24) Second Member 13/7

25) Secy (approved)

OFFICE OF THE S M OF COUNCIL 16 JULY 1929 No 5217

26) Draft approved
Sd/- 16/7

27) Draft
17/7

4 To The President Bijapur Mill Cl
No L 575 dated 19 7 29
States that the recommendation of the Mill Cl cannot be accepted but they would consider that, in view of the gravity of the offence committed,

Note—Contn Sheet

WD 01684—GPB—30 000—20-4-29

Serial No

Bk Sus B Of

the Official should be dismissed from the service & proceeded & action taken in the matter should be reported for the information of Government

---

8 From the President Mysore's D.O. No C.T. 38 23 7 29 With ref to Sec-4, Select Orders of Government in the matter of issuing immediate Orders of dismissal on Mr. Nunisiddaiah, Manager Mysore Sewage Farm

---

28) Submitted for orders

Bks 24/7/29

29) first have amendment that the man should be dismissed & prosecuted It is for the President to say how best he can carry out that order [illegible] He says he will be placing the matter before the Council on the 29th & to this must have been included in the agenda & wants an answer before 26th It may be awkward for the first and to say that the matter should not be placed before the Council if Government choose to instruct & Council decide the matter for himself he should have placed the matter before the Council.

Note—Contin Sheet

General and Revenue Secretariat

ml File No 3

App F III—2]
of 192 9

Serial No

2 Mem moved first:-
31) Sir Rees) 24/7

31) The President may be informed that Govt have passed orders and he has already taken action thereon 24/7

OFFICE OF THE SECRETARY TO GOVERNMENT MADRAS COUNCIL
25 JULY 1929
No 6216

31 Second Member

Draft submitted 25/7/29

31) Sir Rees) 25/7

31) Sir M 25/7

9 To Y Ramaswamy Esqrs B A, C & President, Mysore Agt Mundl Do no L708 dt 25-7-29

With ref to Sec 8, informs that Govt have passed orders in letter no L575-ml 3-29-4 dt 19-7-29 and it is for him to take necessary action in the matter

Contn Sheet

DEWANS OFFICE
10 6 1929
No 1026

7 AUG. 1929
No 1244

Serial No

11 From The President, Mysore Agt mC-cC. no C 7 4 8/1 8 29

With reference to sec 4 states that the mL cC in their meeting d 27 7 29 resolved that the Government may be requested again to accept the recommendation already made to reduce the pay of Mr. Hunisiddaiah, Manager Mysore Sewage Farm

38) Submitted Mr Mahadeva Rao not given any reason why the order should be changed in consideration of the recommendation 29/ (Mr Dey) 5/8

39) Second member 6/8

41) I see no reason to reconsider the matter Please submit to Dewan 7/8/29

42) Dewan 9/8

43) To Agt, cC

45) Draft order 12/8/29

46) Memo issued 17/8

WD 01684—GPB—80 000—20-4-29

Serial No

47) Revised typed draft submitted
Abb 12/8/29 DS 48) [illegible] 28/8/29

DEWAN'S OFFICE
10 SEP 1929
No. 1155

49) Issue Sd 14/8 28/8

14 To The Resident, Mysore cy nl-C
No L1221 dated 14-8-29
With reference to sec-11, state
that Govt see no reason to recon
their order dy 19-7-29 in the matter

Sus A
28/8

15 From -Do- No S T 286 & 26-8-29
States that Mr M R Hanumaiah Siddapur has been dismissed from service with effect from the 16-8 ins tant and that the file of papers relative to the complaint in the Sewa Sangam is being sent to the Public Prosecutor Mysore Division with a request to furnish his considered opinion about the prosecution of the Office

50) Submitted for perusal
Abb 29/8/29 DS 51) [illegible] 28/8/29

52) Second Member CSM 29/8 Sd 2/9

53) Dewan [illegible] 31/8/29

OFFICE OF THE M C IL
SEP 1929
2078

-Contn Sheet

WD 01684—GPB—30 000—20 4 29

D 1192 (10

General and Revenue Secretariat | ML File No 3 | App F III—2] of 192 9

Serial No	
18	From Mr H R Nanjeddappa late Manager Sewage Farm Mysore Petition Dated 5th Sept 1929 Prays, under the circumstances represented, to direct the Municipal Council to make a regular enquiry regarding his dismissal from Service & Orders his re-instatement pending Disposal of this appeal
	(1) The main file has been submitted to the Dewan for perusal
	(2) If approved, a report will be called for on the several points raised in the appeal petition from the President, Mysore dirg Mr CL Smith for orders
	Sd 10/7/29
	(3) On the petition may be considered by the Dewan Bahadur in connection with the Communication which he is said to be making regarding the prosecution of this appeal and then a report be sent up to Govt along with the Public Prosecutor's opinion
	(Sd) [illegible] 7/8 10/7
	(4) Kind reference is invited to paragraphs 5 to 15 in linked file on the same subject. A chance may perhaps be given to the matter as suggested in

Contn Sheet

WD 01684—GPB—30 000—20-4-29

Copy 1405

(11)

App F III—2]

General and Revenue Secretariat | Mil File No 3 | of 1929

Serial No

DEWAN'S OFFICE
14 SEP 1929
No 1284

OFFICE OF THE S M CO N IL
13 SEP 1929
No 2344

with reference quoted

Pencg 5th time

Bn
11/9/29

5) Second member

6) Dewan 61) The matter may be referred to Mr T G Lamb Spn to receive any further evidence that may be produced by the Pet & to hold any further enquiry that may be called for & submit a report

CSD
13/9
Bn 13/9

62) Bn
14-9-29 Bn 16/9

63) Adm 16/9
MD
15/9

64) Draft submitted for Consideration
Sd, 18/9/29 DS

65) Bn 20/9

DS
15/9

66) Same as revised returning PP's 4 which may be returned subsequently

Bn
18/9

20 To the President, Myore
No 2176 d 20 9 29
For the Secn for enquiry & report

Secn A
15/9

Note—Contn Sheet

WD 01684—GPB—30 000—20-4 29

D 1405

(12

App F III—2]

General and Revenue Secretariat | ml File No 3 | of 192 9

Serial No	
19	From the President Nuwara Eliya ml cl No C T 5 dated 14 9 29 Submits the opinion of the Public Prosecutor in the matter of prosecuting Mr H R Wimaladdasha, Lake Manager, Nuwara Sewage Farm and recommends under the circumstances explained that Government may be pleased to accept the ml-cls Resn in the matter

(67) Submitted for perusal the A further report called for from the President as ordered by the Second Member & the Dewan in paragraphs 61 & 62 of the Notes in the linked file. may perhaps be awaited subs for orders

Obs 18/9/29 (68) Noted & returned in the Dewan's letter to Mr Nanayakkara in the file linked

(69) [illegible] 21/1.875

~~(70)~~ Issue draft on linked file & records

BR 18/9

71) Draft in the linked file read 21/ issued file returned with reply to para 3

21/9/29 72) [illegible] 28/5

Note—Contn. Sheet

WD 0168—GPB—30000—20 4 29

Serial No

DEWAN'S OFFICE 25 OCT 1929

OFFICE OF THE S C M E OF COUNCIL 28 SEP 1929 N 9847

ISS & RCDS

DEWAN'S OFFICE 25 OCT 1929 No 1767

(1) The Public Prosecutor suggests an independent enquiry before launching a prosecution. The representation of Mr Ramasubbappa has been referred to Mr T & Rama Iyer. Further proceedings in the case may await the result of Mr T & R Iyer's enquiry. The President will be informed accordingly and the Public Prosecutor's report forwarded to Hon'ble Minister for action accordingly and submitted to Member + Dewan for perusal

Bra 24 9 29

(2) Draft submitted

Ldg 24/9/29

(3) Dewan — Approving

24/9

21 (1) To The President Municipal Council No. L2331 dated 26-9-29

Returns the Opinion of the Public Prosecutor & states that further legal proceedings in the case may await the result of his enquiry on the representation of Mr T Ramasubbappa

(2) Submitted Ref Bundle

Ldg 26/9/29

(3) 2nd Member

(4) Dewan

(5) Chy

27/9

29-10-29

24/10

WD 01684—GPR—30,000—20 4 29

General and Revenue Secretariat — File No 3 of 1929

Serial No	
68	Letter No Q R 18-29 Dy 14 4 3 Presd City and cl Mysore Forwards for orders the Report of enquiry in the case of Mr M R Munisiddappa, late Manager of the Sewage Farm Mys
81)	A committee consisting of The President, Messrs A Krishna Rao, H C Dasappa, K Thimmaiah chetty & J S Akbar was appointed by the Mysore Govt to enquire into the case & report their decision for orders of Govt The following are the charges framed against Mr Munisiddappa who was charged 1. Levy of one to two rupees per plot from each lessee & Rs 3 for each change of khatha per plot 2 Receiving Rs 10 from each coolie after payment of wages & Rupee one in appreciation 3 Compelling 2 coolies to pay Rs 5 each for receiving money 4 Maintaining a dummy cart in his father in laws name

NOTE—Contn sheet

General and Revenue Secretariat | hc | File No 3 of 1929

Serial No

with the grass cut & remove
from the mel farm to the extent
of 250 lbs a day

5 Allowing about a dozen
cattle to graze in the farm
every afternoon

6 Lending money to farm
men at high rate of interest
viz 1½ annas per rupee p m

82 As the members
of the committee except Mr
Krishna Rao considered the
case after a detailed enq
they are of the opinion that
there is nothing to show even
a whiff of dishonesty
on the part of Mr Muniswamy
in any of the charges
referred to above & recommend
that he may be
restored to his appointment
with full pay during the
period of his absence

83 Mr Krishna Rao has
sent in a separate report
in which he considers that
the charges made against
Mr Siddappa cannot be

NOTE—Contn sheet

WD 066—GPB—80 000—26 7 29

General and Revenue Secretariat — File No 3 of 1929

Serial No

Subcontracted except that it is proved that the appellant has not duly accounted for the moneys belonging to the Devasthanam which he has received from 1922 to 1929 and that he has wrongly diverted Rs 47-0-6 (of the years 1926-27, 1927-8 & 1928-29) towards the Poojah Fund of which he was the sole trustee & custodian thereby depriving the Devasthanam of a part of its revenues every year but Krishnaraj Comm. that the appellant conducted in this dispute upon the real grounds & not properly accounting for the same is not only grossly irregular but also requires further investigation. Submit for order Rg with reg to Tr Mandi order.

30 4 30

Rs 0-7-3 (?) Mr Thomas Revd adjd

84) Sm Accy) 2/5

85) I think we need to go by the Committee's report

4320/215

86) The Mandi Tahsildar

Rg 5/5/30

87)

NOTE—Contn sheet

DIRECTARY

6 MAY 1930

WD 008—CPB—30 000—26-7 29

Serial No

86 The majority report of the committee purports to be a complete vindication both of the methods and the bona fides of Mr Nunisiddappa The tenour of the report however suggests that the majority have been unduly influenced by a belief that Mr Nunisiddappa was unnecessarily ill-treated provocated by the Acting President Mr G Ramaswamy and has therefore to be indulgently dealt with The case in favour of Nunisiddappa has therefore been over-stated and a good deal of special pleading has been imported into the argument The dissenting report of Mr A Krishna Rao contains a well reasoned statement of the case for and against the Appeal and I am personally inclined to agree with the conclusions of Mr A Krishna Rao Although no dishonesty on the part of Nunisiddappa is established, there can be no doubt that his method of accounting for the moneys which came into his hands as Farm Manager, was faulty and irregular to the point of arousing suspicion The question of his punishment may perhaps be left to be settled after the Municipal Council has considered and received its views upon the two reports

87) The majority report impugns the conduct of Mr G Ramaswamy He is said to have acted arbitrarily, to

on the other hand,

apparently unfortunately

M 3 10 8/9

WD 01684—GPB—30 000—20-4 29

Serial No

have coerced witnesses and to have (practised
concocted evidence against Ramiah. He
is also charged with having altered the
resolution of the Municipal Council and
with having deliberately withheld from
Govt the opinion of the Public Prosecutor
These are grave charges against an Officer
who acted as President and who was recently
to have been promoted as an executive Engineer.
It is a pity that, in view of this aspect of
the matter Mr Rama Iyer did not conduct
the inquiry himself but chose to
have himself assisted a committee of
Municipal councillors appointed to act
in association with him The committee
summoned Mr Y Ramaswamy to appear
before them and to explain his actions as acting
President — a reminder which not
unnaturally Mr Ramaswamy did not comply
with They have taken advantage of the
report, therefore to level against him
serious accusations which, if well founded
must debar them from being put in any
position of responsibility hereafter It
would be but fair to call upon Mr
Ramaswamy to explain the circumstances
appearing against him in the report of
the committee

A

9a) Returned with compliment to the

9b) Gen Secy

9c) [illegible] Mark Hub RR 10/1/30 — Secy 8/5

9d) [illegible] 23/8/30 — 25/8/30 — 23/9/30

11611/29/5

Secretariat 21/5/30

24413 19/11/1930

Cover Sheet

96/A

WD 01684—GPB—30 000—20-1-29

1504 ~~1001~~ 992 (19

App F III—2]

eral and Revenue Secretariat — Confl File No 3 of 1929

Serial No.

97) Draft Do to Mr J Ramaswamy ~~Aiyer~~ for approval
28/8/30

98) Whether the report of the Committee may be sent to this officer or whether he may be asked to study the papers in the Secrett and give his explanation are points for orders

99) 2nd Member) 28 8 30

A | 100) He may be asked to come over to Secrett & go through the papers

CSJ 29/8

101) The order at A will be carried out

102) In the meantime it seems to be necessary that the Govt Council should now be asked ~~to advise Govt~~ to consider what action they propose to take in respect of the Hon'ble Sir Sadasiva Aiyar the Puisne Judge addressed in the matter

B | The Diwan said that the best thing to do will be to remove this man from the Govt & reinstate him to the Govt Bench & that he will then be quite willing to withdraw his resignation

1 2) 1st Member 30/8/30

NOTE—Contd. on sheet

OFFICE OF THE FIRST MEMBER 1 SEPT 1930 No 1813

WD 066—GPB—30 000—26 7 29

1 2) This may be done 1-9-30
The period he has been idle may be treated as leave without pay
CSJ 1/9/30

L972

(20

[App F III—2]

General and Revenue Secretariat

Title No 3 of 1929

Restr"

Serial No

1st, Draft & Demand for Consideration for many the present wars, it would be necessary to take any action on the report of the committee and it is important purpose in the night that the remarks are referred to the Present this is also for approval or other wars

OFFICE OF THE FIRST MEMBER OF COUNCIL 4 SEPT 1930 No 2037

(1st Member) 4 9 30

(1)

(4)

(1) Issue

4 9 30

88 To The President requested the Director of Horticulture to give Comptroller to Govt No L2200-02 & 9 9 30 Directs that the order of his recovery of Mr H R Mumford dated be revised & that he be reverted to the Garrison Department

NOTE—Contn sl oct.

WD 066—GPB—30,000— 6 7-29

General and Revenue Secretariat

ML File No 3 of 1929

Serial No

OFFICE OF THE
FIRST MEMBER
15 SEPT 1930
No 2934

111) Submitted, with reference to Firs & Members Minute in paragraph 108 supra As Mr Munisiddappa has been ordered to be reverted to the Gardens Department it is for orders as to whether any action on the reports of the Committee is necessary & whether Mr Y Ramaswamy may be asked to go over to the Secretariat & peruse the papers Vide paragraphs 100 & 107 of the notes

Sd/ 12-9-30

112) Please put up a draft for my approval

13 9

113) Draft Do submd

Sd/ 13 9 30

114) 1st Member) 15 9

CSM 15/9

89 From The President, Mysore agt Memo No S J 384 dated 12 9 1930 Ref to sec-88 forwarding letter of Munisiddappa as Director of

let

H C File No 3 of 1929

General and Revenue Secretariat

General and Revenue Secretariat | File No 3 of 1929

Serial No	
90	To J Ramaswamy Esq B A C E Assistant Engineer (on leave) Sri Rampur Extension, Malleswaram Do No L 2552 & 23 9 30 Requests him to call at the Gen & Rev Secretariat during Office hours to peruse the records relating to the illicit practices of Mr. H Munisiddappa, late Manager of the Mysore Sewage Farm
92	From The President Municipal Council No S J 521 & 10.10 30 States that the Director of Horticulture declined to take back Mr Munisiddappa to the Gardens Department as he S O & 9-9 30
93	From Mr J Ramaswamy Letter & 16 10 1930 Intimates that he would go over to the Gen & Rev. Secrt on the 17th instant
97	From -do- Letter & 21 11 30 Submits his explanations for the several allegations made against him by the Committee

NOTE—Contn Sheet

L'2691

MC File No 3 of 1929 | General and Revenue Secretaria

117) I Members remarks on paragraph the explanation given in the Ramaswamy that the municipal report on the irregularities of Mr M R Munisiddaiah in the Sewage Farm was not considered by the Municipal Council Is this so

Asstt Pt C S B

118) The enquiry Committee's report was not considered by the Municipal Council when the question of referring it to the Municipal Council was raised by the General Secretary in paragraph 102 of the notes supra It was ordered by the Dewan in paragraph 104 that Mr M R Munisiddaiah may be reverted to the Garden Deptt

119) Submitted with reference to Members orders referred to in paragraph 117 of the notes supra

Feb 28 / 30 120) As the subject matter of the present letter relates to more or less personal matters between messrs T G Rama Iyer & Y Ramaswamy

L 2691

(25

App F III—2]

Revenue
ria

File No 3 of 1929

Serial No

and has therefore to be treate as confidential. It is for orders whether the whole question may be dealt with in the C B

(121) Mr Ramaswamy re produces the several al legations contained in the Committee's Report

(122) Whether the Committees Report may at this Stage be referred back for con sideration in the Munic cipal Council is also for orders.

(1st Member)

28 11 30

(120) No-

5) We need not bother about the interval between Mr Rama 3e Mr Rama as an

126) Subject to order about- Mem- should be order : public ... necessary - We must ... Mem- ... would need ...

(123)

(125) 1/12/30

126) No further action appears necessary Hendrumi should appe Dfd returning the Connected papers to the President to show for approval

127) A separate reference has been received from the President

NOTE—Conta Sheet

WI 02 3—G PB—50 000—8 7 30

No | L 2691

Rel File No 3 of 1929

General and Revenue Secretariat

Solicitors orders of Government as to how the service prior to 15 August 1947 was to be declared as Commuted towards leave under Rule 136 of the M-S-R- and thereafter separated subs for orders

Sub 18/12/30 A Sec (Law Secy) VS 19 12 30

129) The papers may be sent personal of the 13 members in which of 15 12 30 by the Ch Sy

Rg 2/1/30

130) Chief Secretary) VS 2/1/31

CHIEF SECRETARY 3 JAN 1931

new 7/1/31 VS

131) May the Dft be approved by the Asst Dy Sy 19 12-30 issue? Subs for orders

Sub 7/1/31

132) Issue VS 7/1/31

Sec 100 To The President, Mysore Agency

No L5634 dt 8/1/31

Returns the papers relating to the case of Mr M-R-Munisiddappa & requests acknowledgment of the same

C362(c)

(C) 1

App F III—2]

General and Revenue Secretariat

File No 3 of 1925-30

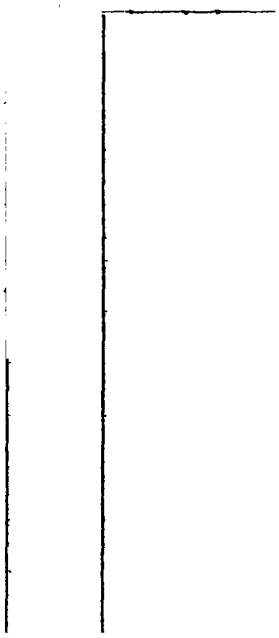
Serial No	
102	From the President Nyasa Leg-H.C. Ct no G J 1132 dated 15th Jan '93 Acknowledges receipt of the Records Connected with Mr H.K Munuswamy Case sent by this office letter no. L5034-3 3 29-100 of the 9th Jan 1931 The main file has been sent to the Financial Secr in Connection with his leave question This will be placed in that file when it receive back Put for order 17/1/31

REV SECTION 23 JAN 1931 B BRANCH

19/1/31

NOTE Contn Sheet

WD 0 3— 0 000—GPB—87 0 0



OFFICE OF THE PRESIDENT
CITY MUNICIPAL COUNCIL MYSORE

Dated 2nd July 1929

GEN & REV 101 5 JULY 1923 L & G BRANCH

FROM

Y RAMASWAMI ESQ B A C E

President City Municipal Council

MYSORE

To

The General Secretary to the Government of
His Highness the Maharaja of Mysore
B A N G A L O R E

Sir

I have the honour to report that it was recently brought to light that Mr M R Munisiddappa Manager of the Sewage Farm was given to illicit practices at the Farm the more important of which are the following -

(1) Unlawfully levying every month Re one to Rs two per plot on each lessee and Rs 3 for each change of Khathe in the case of similar area

(2) Receiving every month four annas from each cooly after payment of wages and rupee one on appointment and squeezing out in a particular case Rs 5 from each of two coolies for re-employment

(3) Causing a dairy farm to be maintained in the name of his father-in-law with the grass cut and removed from the Farm to the extent of 250 lbs a day and by letting about a dozen cattle to graze in the Farm every afternoon

(4) With the money thus realised lending sums to Farm men at an enormous rate of interest viz , 1½ annas per rupee per month

I personally made enquiries and all the above facts were corroborated Mr Munisiddappa was thereafter asked on 14th June 1929 to explain why action should not be taken against him for his malpractices and in reply he states that as regards items 1 2 and 4 above amounts were being subscribed voluntarily by the lessees

lessees for "Shanthi Pooja Fund" that Rs 3 was subscribed at the time of change of Khathe towards a dinner fund and that the lending of money at 1½ annas per month per rupee was for the benefit of the Farm and the lessees He also states that a regular account is maintained in respect of the Pooja Fund but when a requisition was sent to him for its production, the letter was refused He does not accept the allegation made in para 4 above Copies of the notice sent to Mr Munisiddappa on the 14th ultimo and his explanation are enclosed herein for reference of Government

The matter was placed before the Managing Committee on 26th June and the members observed that the malpractices were of a serious nature and that the matter might be placed before the Council Accordingly the subject came up for the consideration of the Council on the 29th June last After long discussion it was proposed that his pay should be reduced from Rs 100 in the grade of Rs 80-5-100 to Rs 75 fixed and his services transferred to the Garden Department This proposal was approved and accordingly Mr Krumbiegel has been requested t intimate if Mr Munisiddappa can be taken back to his Department on a pay of Rs 75 I beg to state here wi that Mr Munisiddappa has been running regularly a most objectionable business in the Farm for years Some of the Councillors were even of opinion that he might be dismissed and prosecuted but on the - representation that he being a member of the backward community might be treated leniently the Council agreed to reduce his pay and transfer him -

In these circumstances I request you to be so good as to obtain the approval of Government to the Council's Resolution to reduce the pay of Mr Munisiddappa which has been given -

P T O

given effect to from 29th Jure 1929 in anticipation of Government approval

Copies of Resolutions of the Managing Committee and the Council are enclosed

I have the honour to be

Sir

Your most obedient servant

A/Ramsden

P R E S I D E N T

GR

GVI

YC

Notice to G T 2562 dated 14th June 1929 from the President City Municipal Council Mysore to Mr M R Munisiddappa Chamundi Extension Mysore

---

It is brought to light that he in his capacity as the Manager of the Sewage Farm has been practising many ill ways the more important of which are the following -

1 He has been unlawfully levying every month Rs 1 to 2 per plot on each lessee and Rs 2 for each change of Khate in the case of similar area

2 He has been receiving every month four annas from each cooly after payment and rupee one on appointment He has in a particular case squeezed out Rs 5 from each of two coolies for re-employment

3 He has been maintaining a Dairy Farm in the name of his brother-in-law with the grass cut in the Farm to the extent of 250 lbs a day and by letting about a dozen cattle to graze every afternoon in the Farm

4 With the money thus realised he has been lending sums to Farm men at an enormous rate of interest viz 1½ annas per rupee per month

Even during the period of his leave he has been attending the Farm and keeping up the malpractices regularly with the connivance of Maistry Kempiah

These facts were enquired into personally by the President this morning and they have all been corroborated

Mr Munisiddappa is directed to explain within a week from this date why action should not be taken against him for his malpractices

Sd Y Ramaswami
President

Copy'

Y Ramaswamy
President

GVN

GR

To

The President
City Municipal Council, Mysore

Sir

With reference to your No G T 2562 dated the 14th inst I beg to state as follows -

As regards charges 1 2 and 4 I beg to state that a sum ranging from annas eight to Rs 1-2-0 is being subscribed voluntarily by the lessees of the betel vine gardens for the Farm Shanti Pooja Fund which is in vogue for the past 10 or 12 years whenever they took an plot on lease but not monthly As nobody was willing to take up the lands on the Farm for cultivation as it was suspected to be haunted by evil spirits etc and as the whole area was lying fallow with a thick grove of toddy trees scrub jungle etc the then President Mr C Sreekanteshvara Iyer initiated Shanti Pooja by sanctioning Rs 10 from the Municipal Funds —On my representation just to clear the fear from their minds In the succeeding year it was suggested by him that if such Pooja were to be continued every year the staff and the lessees may subscribe and perform the Pooja as it was in their own interests Hence this was continued to be performed every year at the commencement by lump sum subscriptions of Rs 5 to Rs 10 till 1924 when it was found to be rather hard for the staff to pay this in a lump sum, it was unanimously resolved that a small monthly subscription should be collected and the Pooja performed regularly every year - Accordingly a Shanti Pooja Fund was started and the whole staff including the Manager ~~clerk~~ clerk and Maistries subscribed to the fund according to their means without any compulsion and a regular account is maintained These that were newly employed were paying an intial donation of annas 8 to Re 1 according to their pleasure and means

The Pooja is held annually in the Farm premises and more than a thousand people are fed on the occasion with other items of entertainments such as open-air-dramas Harikathas etc To this function respectable gentlemen of the City of different communities including merchants students orphans Municipal staff and staff

P T O

staff of the Government Gardens are invited and they have taker part in the function and on the last occasion Mr K Manjappa Curactor Parks and Gardens, Mysore has also attended the Pooja Messrs B Basavalinga Chetty the present Chief Officer of the Shimoga Municipality and B Rachappa Avenue Inspector have attended the function and taken part in the dining

As per suggestion of the subscribers themselves in order to increase the Pooja Fund on the one hand and to give relief to the subscribers from paying a heavy interest of annas 4 to 6 elsewhere the amount was lent out of the Pooja Fund only to needy subscriber at the interest of 1 anna for sometime and afterwards at 1 anna 6 pies per rupee per month and the interest thus collected was also added to the Pooja Fund

Beyond this there are also other items which are added to this fund The details can be seen from the accounts

As per practice in the betel vine gardens a sum of Rs 5/- was subscribed as [illegible] by the lessees at the time of change of Khate and this sum was formerly paid to Marichanna Mali who was in charge of betelvine gardens When complaints were received that Marichenna was misappropriating that amount the lessees as per my suggestion chose B L Mari Danda one of the lessees and thenceforward this amount is deposited with him and is used according to their customs and I have nothing to do with it

That I have squeezed out Rs 5 each from two coolies for re-employment is absolutely false and groundless I remember that I had sent away some two coolies of the temporary establishment for stealthily cutting Lucerne and carrying away with them while conveying grass to Mr T G Rama Iyer's house

On the recommendation of some Tejamans of Holageri and on his own repentence pleading poverty I have taken one on duty As regards the other I have not re-employed him

As regards the question of Dairy Farm it is run by Mr Munisamappa who is not brother-in-law as stated but my father-in-law both in Bangalore and Mysore but not by me and it is his hereditary occupation and means of livelihood and I have no

no connection whatsoever with it It is absolutely false that any grass was supplied from or any cattle of the Dairy were allowed to graze on the Farm

As regards the observation that I am attending the Farm when I ar on leave etc I beg to say that on the continued request of Mr Vajravelu, Manager, in charge to explain to him about the marking and alloting of plots in the southern area and to make up a statemer of land to cover 30 acres required by you during one of your - inspections of the Farm as the clerk was not able to find out the records I was obliged to go there twice and give him the necessary information in the matter and once again on the request of Mr - Sheshappa the present Manager in charge I had to go there and give him necessary help and I had no other motive to go there This fact was also brought to your kind notice when I had applied for - extension of leave I could not have gone on with the alleged - malpractices in connivance of Maistry Kempiah alone in presence of the other members of the staff some of whom with some ill motives, seem to be hostile to me and have a mind to injure me by some means or other

The enquiry has been made in my absence and I am also kept in dark as to what information each individual gave during the enquiry and under these circumstances it is not possible for me to explain why the informants should give any false information against me but as far as I could presume that one Maistry Venkatasamy who was - removed from service about 4 or 5 years back and who is now seen to be mixing with the Farm staff and who was seen in the farm and who is said to have been promised his reinstatement by the present Manager in charge is made a tool to set up people against me during my absence on leave Otherwise why all these facts were hushed up by the staff while I was on duty and without bringing them to the notice of the President for the past over 11 years cannot be made out nor can it be made out why the staff allowed to go on the - grazing of cattle and the supply of grass during the past three - months & that I am on leave when they had every opportunity to

to seize the cattle and grass red-handed This Venkatasamy had complained against me with similar allegations brought forward now and then against the Curator and even against Mr H C Javaraayya Superintendent Government Gardens while the Farm was under the management of the Garden Department to the Dewan Saheb with a request for reinstatement and his complaint was proved to be absolutely false and he was not reinstated

Another Kulla who was employed in the Septic Tank and who was also removed as his work was unsatisfactory is also said to have joined hands with the above Venkatasamy in setting up people against me This Kulla was living by grazing cattle for cooly and on some occasions taking advantage of his employment in the Farm and when he was found to graze his cattle in the Farm he was at once reprimanded and when he persisted his cattle were also impounded(vide entries in the Pound Register)

Another Javariah a gang masitry who was removed by me sometime back and who made similar allegations against me has also formed a league with the above and all these joined together under the influence of some wire pullers who want to secure their positions by depriving me of the charge have brought all these false charges which have absolutely no grounds whatsoever If these allegations were made or enquired into while I was on duty the truth would have come to light

During the past 11 years that I am in charge of the Farm I have strived Hard improved the Farm and given satisfaction to my officers with my hard work and integrity It is only about a year back when the whole Holageri people had given a petition signed by more than 500 persons to retain me in the Farm and now at the instance of some malefactors to be charged with malpractices it is nothing but my misfortune and I boldly assert that every one of the allegations is false and vexatious and I can prove it to the hilt if an opportunity is given to me

Mysore
19th June 1929

Sd M R Munisiddappa
Manager Sewage Farm on leave

Copy

GVN

President
GR

'roceedings of the Managing Committee meeting held on the 26th June 1929 at 4 P M

---

24 Certain irregularities in the working of the Sewage Farm under the management of Mr Munsiddappa Farm Manager on leave

Resolution - The malpractices are of a serious nature the matter may be placed before the Council

x x x

Sd Y Ramaswami
President

"Copy"
Y Ramaswami
President
GA

Proceedings of the 14th(Ordinary) meeting of the City Municipal Council, Mysore, held in the Council Chamber on Saturday the 29th June 1929 at 8 A M

Present

Y Ramaswami, Esq., B A ,C E , President

1 M Ramaswami, Esq , Vice-President
2 M Rama Rao, Esq., B A ,B L.,
3. P Sitaramiah, Esq., B A ,B L ,
4 C.Narasimhaish, Esq , B A ,B L.,
5. P S Ramaswamiengar, Esq.,
6 S Nanjaraj Urs, Esq ,
7 C Doddajavarappa, Esq ,
8. M Venkatakrishniah, Esq ,
9 P H Chandrabhan Singh, Esq ,
10 S Krishnaswami Rao, Esq , B A ,LL B ,
11 M C Lakshmipataiya, Esq., B A ,
12 Mrs W H Theobald
13 V T Armuga Modaliar, Esq.,

Absent

1 M K Krishna Rao, Esq.,
2 Tippu Sultan Alli Khan, Esq ,
3 M C Thammiah, Esq.,
4 A Krishna Rao, Esq.,B A ,B.L.,
5 Rev Father I H Lobo ,
6 Dharmaprakasa D Bamumiah, Esq ,
7. T Thammanna, Esq ,
8 P N Sangappa, Esq ,
9 M Ramachandran, Esq , B A ,B.T G.I A C.,
10 M Madappa, Esq ,
11 H C Dasappa, Esq , B.A ,LL B ,
12 Mohamed Sait, Esq ,
13 K Dhanakotichetty, Esq ,
14 M P Bhogiah, Esq ,B A ,B.L.,
15 Khan Bahadur P Pallonji, Esq ,

x x x

571 Managing Committee's Resolution No 24 dated 26-6-1929 regarding certain irregularities in the working of the Sewage Farm under the management of Mr Munisiddappa Farm Manager on leave

Resolution - ~~The proposed~~ Disciplinary action may be taken as proposed by the President

x x x

Sd Y Ramaswami
President

"Copy"

Y Ramaswamy
President

GVN

LSG
GT 2787
Encl one

OFFICE OF THE PRESIDENT
CITY MUNICIPAL COUNCIL MYSORE

Dated 10th July *1929*

GEN & REV SECTT
225
13 JUL 1929
L S G BRANCH

FROM

Y RAMASWAMI ESQ ,B A ,C E

President City Municipal Council

MYSORE

To

The General Secretary to the Government of
His Highness the Maharaja of Mysore,
B A N G A L O R E

SIR

With reference to my letter No G T 2682 dated 2nd July 1929 regarding the reduction of the pay of Mr M R Munisiddappa, Manager of the Sewage Farm, I have the honour to forward herewith a copy of his application dated the 7th July 1929, addressed to me on the subject He has been told in this office letter No GT 2775 dated 10th July 1929 that he is ill-advised to seek the protection of Municipal Councillors

I have the honour to be,
Sir,
Your most obedient servant,

M/Ramswamy

PRESIDENT

GR

GVN

Letter No A dated 7th July 1929 from Mr M R Munisiddappa, Manager of the Sewage Farm(on leave), Mysore, to the President, City Municipal Council, Mysore

---

As I wish to appeal to the Municipal Council, I beg to request you to be so good as to give me a copy of the specific charges proved against me on which you have been pleased to take action and to reduce my pay from Rs 100 in the grade of Rs 80-5-100 to Rs 75 fixed If evidences and exhibits have been taken for proving the charges I beg to request that copies of such evidences and exhibits may also be kindly furnished to me early

Meantime I pray that no communication may be sent to Government regarding the reduction as it would seriously prejudice my case and if any communication is already sent to Government to get the further orders on the same stayed pending disposal of the appeal which I am to file

---

"Copy"

M Ramaswamy

President

GVN

ppendix F G—1 Confidential (Cs 13)

SUBJECT

Diary No of letter replied to —101

General and Revenue Secretariat

( )

the 192

Date of issue 9-7-29

Signed by MD MS Iyer

st of enclosures

Copied by

Examined by

ion ml

File No 3-29

Serial No 4

No 2575

To

The President,
Mysore Agricultural Assoc.

Sir

With reference to your letter no G 7 2622 dated the 2nd July 1929 bringing to notice of Govt certain alleged practices of Mr M R Thimmaiddappa, Manager of the Mysore Sewage Farm & soliciting for reasons stated, donation to the resolution of the Municipal Council of

over

26/12)

the 29th June 1929 to reduce
the pay of Mr Munidéddappa
with effect from 29 6 29
from Rs 100/= in the grade
Rs 80-5-100 to Rs 75 fixed

I am directed to state that the
that it simply presupposes
to say that because
he belongs to what is called
a backward Community,
he should be treated
leniently He has proved to be
a thorough rogue
& put the municipality
to a loss of thousands
of Rupees The man
really deserves to be
dismissed & prosecuted but in any case he should be
At all events, he should be sacked by
Government Please
Consider that, the
punishment now
~~to be~~ inflicted on the
man is nothing when
Compared with the Gravity
of the Offence Committed

I regret that the recommendation of Mr Thadel cannot be accepted - They Consider that in view of the gravity of the offence committed he should be dismissed from the Service & prosecuted. Action should be taken on the matter should be reported for the information of Govt

I have the
honour
to be
Sir
Your Obedt Servt
[illegible]
12/7

157

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

No L575 mc 3-29-4 Dated Bangalore 19-7 1930

From

B NARAYANASWAMI IYENGAR Esq B A B L
Offg General Secretary to the Government of His Highness the Maharaja of Mysore

To

Y Ramaswami, Esq, B A, C E,
President, City Municipal Council, Mysore

Sir

With reference to your letter No G T 2622 dated, the 2nd July 1929, bringing to notice of Government certain illicit practices of Mr M R Munisiddappa, Manager of the Mysore Sewage Farm and soliciting for reasons stated sanction to the resolution of the Municipal Council dated the 29th June 1929 to reduce the pay of Mr Munisiddappa with effect from 29th June 1929 from Rs 100/- in the grade Rs 80-5-100 to Rs 75/- fixed, I am directed to state that Government ~~xxxxx~~ regret that the recommendation of the --- Municipal Council cannot be accepted They consider that in view of the gravity of the offence committed the offici-l should be dismissed from the service and prosecuted and action taken in the matter should be reported for the information of Government

I have the honour to be,

Sir,

Your most obedient servant,

Sd/- B Narayanaswamiengar

General Secretary to Government

K L R 2
19/7

Pol 3-27-

10

FIAL

MYSORE CITY MUNICIPALITY

DO No C T 3

REV SECT
PRESIDENT'S OFFICE
Dated 23rd 24 JULY 1929
L & G Elland

L 59 Secretariat 29/7/29

Dear Mr Narayanaswamiengar,

With reference to your confidential letter No L 575/A1 3-29-4 dated 19th July 1929 intimating that Government cannot accept the recommendation of the Municipal Council to reduce the pay of Mr L R Munisiddappa and consider that in view of the gravity of the offence committed, he should be dismissed from service and prosecuted etc I write to state that it is not clear whether the order of dismissal should be issued forthwith, or whether your letter should be placed before the Municipal Council and their decision communicated to Government for passing final orders I am however placing the letter before the Council at their next meeting on the 27th instant, and await your reply for issuing orders to Mr Munisiddappa It will facilitate disposal if your reply is received by the 26th instant

Yours sincerely,

[illegible]

To
R Narayana wamiengar, Esq, M A, B L,
General Secretary to the Government of
His Highness the Maharaja of Mysore,
PALACE

Cq

GM

(2nd 17)

Appendix F G—1

SUBJECT

Diary No of letter replied to 435

General and Revenue Secretariat

( )

the 192

Date of issue 25 7 29

Signed by Mr B Varadarajaraya Iyengar

Confl

List of enclosures

Copied by

Examined by

Confl Section Rl

File No 3 - 29

Serial No 9

D.O No L 1925

To

J Ramaswamy Esqre
B A B L
President
Mysore City Mcl Cl

Dear Mr. Ramaswamy

In reply to your D.O letter no C T 3 dated the 23rd instant solicit Special Orders of Govt in the matter of taking further action for the dismissal & prosecution of Mr M R. Munisiddappa Manager of the Mysore Sewage Farm Ordered

over

30)(6)

in this office letter no
L575—ml3-29-4 dy
24 7-29. I am desired
to inform you that Government
have passed orders in
the matter and ~~forwarded~~
~~them~~ to take necessary action
thereon

Yours sincerely

25/7

25/7

(2f5)

25-7-29

ml 3-29-11

CONFIDENTIAL
No CT4
Ex 1

L S & Mr
5 & 9
5 8

OFFICE OF THE PRESIDENT
CITY MUNICIPAL COUNCIL MYSORE

Dated 1st August 1929

FROM

Y RAMASWAMI ESQ ,B A ,C E ,
~~XXXX

L 1221 ... 14 dated ...

1224

Proceedings of the 1st Ordinary meeting of the City Municipal Council, Mysore, held in the Council Chamber on Saturday the 27th July 1929 at 8 A M

Present
~~President~~

1 Y Ramaswami,Esq , B A , C E (President)
2 M Ramaswamy,Esq (Vice President)
3 M K Krishna Rao,Esq ,
4 P Sitaramiah,Esq , B A , B L
5 C Narasimhayya,Esq , B A , B L
6 P S Ramaswamiengar, Esq
7 T S Alli Khan,Esq
8 S Nanjaraj Urs,Esq
9 M C Thammiah,Esq
10 M Venkatakrishniah,Esq
11 S Krishnaswamy Rao,Esq , B A , LL B
12 L C Lakshmipatalya,Esq , B A
13 Rev Father I H Lobo
14 Dharmaprakasa D Banumiah,Esq
15 T Thammanna,Esq
16 P N Sangappa,Esq
17 K Dhanakotichetty,Esq
18 Y Virupakshiah,Esq
19 M P Bhogiah,Esq , B A , LL B
20 Khan Bahadur P Pallonji,Esq
21 Mrs W H Theobald

Absent

1 M Rama Rao, Esq , B A , B L
2 C Doddajavarappa,Esq
3 A Krishna Rao,Esq , B A , B L
4 P H Chandrabhan Singh,Esq
5 M Ramachandran,Esq , B A , B T , G I A C
6 M Madappa,Esq
7 H C Dasappa, Esq , B A , LL B
8 Mahomed Sait,Esq
9 V T Armuga Modaliar,Esq

x x x

50 Government Order No L 575/3-29-4 dated 19th July 1929 regarding disposal of services of Mr Munisiddappa

Resolution - Resolved that the Government be requested again to accept the recommendation already made a Government last meeting

x x x

Sd Y Ramaswami,
President

Copy"

M Ramaswamy
President

GVN

L 1221 / M 3-29-4 dated 14-8-29

To

The President,
Mysore City Municipal Council,

S i r

With reference to correspondence ending with letter No C T 4 dated the 1st Aug 1929 submitting for orders the resolution of the Municipal Council dated the 27th July 1929 to the effect that the Government be requested to accept the recommendation of the Council made at their meeting held on the 29th June 1929 reducing the pay of Mr M R Munisiddappa Manager of the Sewage Farm from Rs 100/- in grade Rs 80-5-100 to Rs 75/- fixed on account of certain irregularities committed by him in the management of the Farm, I am directed to state that Government see no reason to re-consider the orders already passed in the matter in G O No L 575/M1 3-29-4 dated the 19th July 1929 directing the dismissal and prosecution of the official

I have etc,

DRAFT)

Gl Secry to Govt

K M R 1
12/8

No 9 T 286/11 8 29
Fnc

OFFICE OF THE PRESIDENT
CITY MUNICIPAL COUNCIL MYSORE

Dated 23rd August 1929 ~~xxxx~~ 192

GEN REV SECTT 1996 28 AUG 1929 L S G BRANCH

FROM Y Ramaswami, Esq , B A ,C E ,
~~xT xxxRAMAxMxExxExxxxxx~~
President City Municipal Council
MYSORE

To The General Secretary to the Government
of His Highness the Maharaja of Mysore,
Bangalore

Sir

With reference to your letter No L 1221/1 3-29-14 dated the 14th August 1929 stating that Government see no reason to reconsider their Order No L 575/1 3-29-14 dated the 19th July 1929 directing the dismissal and prosecution of Mr A R Munisiddappa, Manager of the Sewage Farm, I have the honour to state that the official has been dismissed from service with effect from the 16th instant The file of papers is being sent to the Public Prosecutor, Mysore Division with a request to furnish his ~~xxxxxxx~~ considered opinion about the prosecution of the official

I have the honour to be,
Sir,
Your most obedient servant,

Y Ramaswamy
President

CONFIDENTIAL

OFFICE OF THE PRESIDENT
CITY MUNICIPAL COUNCIL MYSORE

Dated 14th September 1929

IMMEDIATE

FROM

Y RAMASWAMI ESQ ,B A C E
XXXXXXXXXXXXXXXXXXXXXXXX

President City Municipal Council

MYSORE

REV SECT GEN & 11405 1 8 SEPT 1929 L & G BRANCH

To

B Narayanaswami Iyengar Esq B A B L ,
General Secretary to the Government of
His Highness the Maharaja of Mysore
B A N G A L O R E

SIR

I have the honour to submit herewith the opinion of the Public Prosecutor in the matter of prosecuting Mr M R Munisiddappa late Manager of the Sewage Farm, Mysore He advises that an independent opinion might also be obtained before launching the prosecution

I may be permitted to mention here that the Municipal Council in their meeting held on 31st August 1929 felt keenly that their recommendation of degrading Mr Munisiddappa from Rs 100 to Rs.75 fixed was not accepted by Government

I am of opinion that Mr Munisiddappa was not pulled up at any time in the past and the irregularities which have now come to light are partly due to omission of control over him

I therefore recommend acceptance of the Municipal Council's Resolution and if need be rpplacement of him by a competent hand

Mr Munisiddappa who had been reduced to Rs 75 and posted as a Sanitary Inspector was diamissed from service on 16th August 1929

P T O

(24)

Early orders of Government in the matter are solicited

I have the honour to be,

Sir,

Your most obedient servant,

A/Ramsamy 16/29

PRESIDENT

GVN

(2725)

Appendix F G.

SUBJECT

Sec C

Fil 29

Ser

No L

Diary No of letter replied to 1192 / 1405

General and Revenue Secretariat

( )

the 192

To T G Rama Iyer Esq

S A

Date of issue 20/9/29

Signed by DSR 2KS Dept
(20 be kindly returned with the reply)

Sir, I am directed to forward herewith petn in original dy 5.9.29 received from Mr H R Nanjundappa, late Manager of the Mysore Sewage Farm, praying for reasons stated, that a regular enquiry may be ordered to be held in the matter of certain irregularities for which he has been punished & to expunge the same as prayed for

over

List of enclosures

Copied by

Examined by

WD 063—GPB—20 000—1 8 29

present [redacted] evidence
that may be produced
by the petitioner & held
any further enquiry that
may be called for &
submit a detailed Report
in the matter

I have etc

Sd

Genl Secy to Govt

The Memorial of the Rajah
Bozarlin received
on the 4th Inst. [illegible]
Copy [illegible] 14/9/75.
herewith [illegible]
to necessary reference

14/9
1875

Recd
Govt
18/9/75

SUBJECT

Diary No of letter replied to 1405

General and Revenue Secretariat
( )
the 192

Date of issue 26/9/29

Signed by Asst Dy Sy

H E

List of enclosures

Copied by

Examined by

Section ML
File No 3-29
Serial No 21
No L2321/ML

To
The President
Mysore City ML CL

Sir

In Continuation of this office letter No L2176 — ML 3-29-20 dated the 20th Sept 1929, forwarding for enquiry & report the representation of Mr M R Muniddappa late manager of the Mysore Sewage Farm I am directed to forward herewith the Opinion of the Public Prosecutor

over

Rec
from Cmpe letter Nos
C.T 5 & 14 & 25 and P-U D
to state that further legal
proceedings in the
case may await the
result of your enquiry
On the representation
of Mr Munshiddakka
I have etc,

Dawson

To Gene - Esq - D Gond

(DSC)

Asst
24/9/29

No GT 1577
Encl 1 pheret 2
200 other papers as per
pheret

OFFICE OF THE PRESIDENT
CITY MUNICIPAL COUNCIL, MYSORE

DATED 12th April 1930

EARLY

FROM

T G RAMA IYER Esq BA

President City Municipal Council

MYSORE

SECTT
21 APR 1930
L S Branch 5095

To

The General Secretary to the Government of
His Highness the Maharaja of Mysore
BANGALORE

SIR

With reference to your letter No L 2176/M1 3-29-20 dated the 20th September 1930 directing a further enquiry in the case of Mr M P Munisiddappa late Manager of the Sewage Farm Mysore and calling for a detailed report in the matter I have the honour to state that formal enquiry was made and witnesses also examined by a Committee consisting of the President Messrs A Krishna Rao H C Dasappa K Dhanakotichetty and T S Ali Khan appointed by the Council in their Resolution No 113 dated 28th September 1929 The report of the majority with the dissentr report of Mr A Krishna Rao is herewith submitted to Government along with the connected papers as per list enclosed for favour of orders of Government

I have the honour to be
Sir
Your most obedient servant
PRESIDENT

GV

Ml 3-29-97 30)

For kind perusal - 1st Member) 24·11 30

OFFICE OF THE FIRST MEMBER OF COUNCIL 25 NOV 1930 No. 531

To

R Ranga Rao, Esquire, B A , B L ,

General Secretary to the Government of Mysore,

BANGALORE

GEN SECT 26 NOV 1930 L S G BRANCH

L 2691

see - both with sample

With reference to your D O No 1552/Ml 3-29-30, I have the honour to submit herewith my explanation on the allegations contained in the Majority Report The Report abounds with unfair aspersions and insinuations on the one hand, and on the other, with mis-statements, and omission or distortion of facts

2 During my Presidentship, three persons who committed irregularities were detected A Mutsaddi on a salary of Rs 45/= was dismissed by the Municipal Council on account of a temporary misappropriation of Rs 70/=, and the money was recovered The Vehicles Inspector on a salary of Rs 75/= met with a similar punishment for an embezzlement of Rs 1000/= spread over two years ---, and the amount was made good by him The third instance is that Mr Munisiddappa, apart from committing other irregularities for a number of years, diverted Rs 8000/= to Rs 10,000/= of Municipal Funds to his own advantage in running a Dairy, misappropriated Rs 122/= of Fodder charges, and made temporary embezzlement a regular practise Such a culprit is declared innocent and even praised for his service The Government will see from my explanation the hollowness of the findings of the Majority, and the causes which obscured their judgment

3 I am grateful to the Government for giving me an opportunity to vindicate my integrity in the discharge of

of my duties as President of the unicipality

I have the honour to be,

S i r,

Your most obedient servant,

M Ramaswamy

21 / 11 30

"Dil-Kush",

12th Main Road,

Malleswaram

Dated 20th Nov 1930

Enclosure – Explanation in 23 pages

E X P L A N A T I O N

1 The enquiry of the Committee has resulted in two Reports The one is signed by Mr A Krishna Rao, and the other by Messrs T G Rama Iyer, H C Dasappa, I Dhanakoti Chetty and T S Ali Khan The latter must have been drafted by Mr Rama Iyer It is full of pronouns, first person, singular number For this reason, and for the sake of convenience, I shall, in my explanation, refer to the Majority Report as Mr Rama Iyer's Report

2 Mr Rama Iyer's Report is in the view of a Defence Counsel, advocating a bad case, and trying to exonerate the culprit by slinging mud on the prosecution

3 A fresh enquiry by the President of the Municipal Council was ordered by the Government The Council appointed a Special Committee for the purpose, subsequently, the Managing Committee referred to the Special Committee two more charges against Mr Munisiddappa for investigation and report The correct procedure for the Committee was to have submitted its report to the Council Instead of doing so, the report was straight away sent to the Government, thereby creating a bad precedent A handful of men could, in league with the President, set at naught the decisions of the Municipal Council It is for the Government to take notice of the extraordinary step, in so far as it concerns me, I dare say that the Council, which invariably treated me with great courtesy for my sincere and honest service, would not have been a party to the wrong conclusions and unfair allegations that are in the Report

4 Mr Rama Iyer says -

"There is no sufficient reliable evidence in support of the allegations that farm-servants were employ

employed to carry milk to the customers It is improbable that Adi- arnatakas of Dodda-Holageri who are mostly the farm coolies would have carried milk to supply high-caste customers "

"This witness (Chikkalinga) appears to have been tutored to say that he was also carrying milk He completely broke down on this point in cross-examination "

The three brothers Chikkalinga, Doddalinga and Molle who were working in Mr Munisiddappa's house and carrying milk to the customers, are n o t Adi-Karnatakas They live in Kannegowdan-Koppal and are Vokkaligars This is an instance of distortion of facts

Chikkalinga says, in his Statement before the Committee -

"For the last 1½ years I have been working in Mr Munisiddappa's house attending to the grazing of the cattle and carrying milk from his house to his customers' - houses I was grazing his cattle in the Sewage Farm They were 12 in number I was cutting 4 to 5 bundles of grass and feeding the cattle with the grass thus cut near the katte in the Farm Though I do not know the name of others (customers, he gives 3 names) I can point out their houses "

Instead of making an unfair and sweeping remark that the witness was tutored to give false evidence, it was Mr Rama Iyer's clear duty to have pursued the matter by getting at the customers, as I did, whose houses Chikkalinga volunteered to point out, in which case, better evidence would have been available I must say that this is the second instance of distortion of facts

5 Regarding recovery of Rs 5/= from each of the

5 Regarding the recovery of Rs 5/= from each of the coolies, Chikka Bomma and Dodda Bomma -

Chikka Bomma says before the Committee -

" My Statement was recorded once by Mr Seshappa, Overseer, and again by the Chikka Sahib (Engineer) in person I did not mention to Mr Seshappa anything about the fine (Rs 5/=), but I told it to the Chikka Saheb "

Mr Rama Iyer remarks that "Chikka Bomma's statement was not recorded by the Chikka Saheb as far as the records and enquiries go " The fact is that a Statement of all the farm coolies and few lessees was recorded by me on or, about, 14-6-1929 at the Sewage Farm itself when I made payment to the staff How, or why, it is missing is more that I can tell

Continuing Mr Rama Iyer says -

" What finally sets the seal of untruth on this belated allegation which anticipates evidence is the admission of Chikkabomma that he was reinstated after Mr Munisiddappa went on leave This shows clearly that there was no occasion to pay anything to Mr Munisiddappa for reinstatement, as it was Overseer Mr Vajravelu Modaliar that reinstated him "

Let us hear what Doddabomma, brother of Chikka Bomma, says in his statement before the Committee -

" About three years ago, I left off duty along with my brother and another (Maridanda) for about a month On rejoining duty, Mr Munisiddappa took from each of us Rs 5/= for our reinstatement "

The brothers paid Rs 5/= each to Mr Munisiddappa three

three years ago and not when Mr Munisiddappa went on leave This is the third instance of distortion of facts

6 Regarding grazing of cattle and supplying farm grass to the Dairy, all the 7 coolies that were examined by the Committee state that it was a fact

(i) Chikkalinga's evidence pertaining to the subject is already quoted in para 4, page 2

(ii) Doddalinga says -

"I had owned a buffalo once and I sold to Mr Munisiddappa Mr Munisiddappa had asked us not to tell this (supply of farm grass to his Dairy) to anybody " "Three of us were working in his house, viz , Molle, Chikkalinga and myself There was a vast quantity of milk to be taken to different houses by three of us In the evening I used to bring flowers and a bundle of grass containing about 70 lbs in weight every day to Mr Munisiddappa's house In addition to the head-loads, we were taking every day a cartload containing 16 to 18 bundles After Anantharamaiya came, grass used to be taken in head-loads everyday but in carts occasionally when there was rain I used to take to Mr Munisiddappa's house such vegetables as brinjals, Krolkhol, beans, Sorekai, Hireka in a big basket every alternate day by cart "

(iii) Molle -

" I used to carry grass to Mr Munisiddappa's house, and milk to customers His cattle were grazing in the Farm "

(iv) Doddabomma -

"Grass was being taken in the evening after 6 P M , to Mr Munisiddappa's house If there was rain, grass

grass used to be taken in a cart Grass was being weighed and 2 bundles used to be bundled into one Cattle of Mr Munisiddappa were grazing " "Every day 8 people used to carry grass to his house Maistry Kempaiya asked me not to take grass to Mr Munisiddappa's house from the date on which he was dismissed "

(v) Chikkabomma -

"Seeme grass was never being taken to Mr Munisiddappa' house, but Seeme grass was being cut and given to his cattle when they were grazing inside the Farm "

(vi) K u l l a -

He says that farm coolies were working in Mr Munisiddappa's house, his cattle were grazed in the farm and grass carried to his house

(vii) Overseer Mr Vajravelu Modaliar -

"Clerk Anantharamaiya told me that Mr Munisiddappa came to the Farm that day also for the same purpose (to arrange for grass being taken to his house) Anantharamaiya told me that grass was being taken to Mr Munisiddappa's house for his Dairy Farm "

(viii) Mahalinga -

1 "I have not told the carrying of grass etc , to any body except my co-employees"

2 "I would take grass to his house when my turn came and my turn would come once in 8 or 10 days "

3 " I have not seen anybody else than Polle carrying vegetables to his house and I have seen Chikkabomma also carrying vegetables to Munisiddappa's house some times and no others, except these two "

Dairy and large quantities of grass, 8 to 10 bundles, were supplied to his house The probable loss sustained by the Municipality on account of the Dairy, apart from loss of - vegetables, is over Rs 100/= per month, or a total of Rs 800

to Rs 10,000/= The Public Prosecutor says that the allegation, if true, constitutes criminal breach of trust by a Public Servant Mr A Krishna Rao also arrives at the decision that "the charge is proved," just as I have done In these circumstances, it can be safely said that the Municipal Council was justified in inflicting a minimum punishment of Rs 25/= reduction in Mr Munisiddappa's salary

7 Mr Munisiddappa admits that he recovered from the coolies Re 1/= per head on employment, and 4 annas per month thereafter He claims that this practice was in the interest of the Farm

I made payments on more than one occasion to the Farm coolies in Mr Munisiddappa's presence, and latterly, Mr Vajravelu Modaliar also made similar payments during his absence on leave After the paying officers returned, he collected four annas from each cooly, which was evidently done in a stealthy manner Obviously Mr Munisiddappa wants us to take him to be more honest than he is in his own estimate Mr Munisiddappa's justification that the subscriptions were voluntary is not quite true Mahalinga says, "I paid one Rupee to Mr Munisiddappa when I entered service I do not know for what purpose the one rupee was collected "

The whole practice is, therefore, considered a mere pretext to satisfy his own ends No departmental Officer was appraised of the above fact and it was hence unauthorised He is, however, absolved of all blame by Mr Rama Iyer Mr A Krishna Rao comes to the conclusion that the practice is highly objectionable

8 Mr Munisiddappa admits that he levied Rs 1-4- for each plot leased out He justifies this collection from the lessees and recoveries from the coolies on the ple

plea that it was voluntary and that he maintained a correct account of the Puja Fund Two witnesses, viz , Kuri Sidda and Raman Sidda, have been examined The witnesses that have been examined state that they were not appraised of this Puja Fund when they paid the money in advance, and they were not consulted about their willingness to subscribe to the Puja Fund Kuri Sidda says -

"I do not know whether Puja was performed or not "

An examination of the accounts reveals that they are far from a truthful record of moneys received or spent

(a) Maridanda, whom Mr Rama Iyer quotes in favour of Mr Munisiddappa, says that even those who had taken plots before Puja Fund was opened, paid the subscription of Rs 1-4-0 per plot afterwards The amount comes to about Rs 200 It finds no place in the accounts

(b) No accounts are given for the period lasting from 11-5-1926 to 22-3-1927, or 10 months

(c) July, 1925 - 13 entries are altered, manipulation of accounts is evident Even so, the total is wrong Rs 1-4-0 is changed to Rs 5-12-0 and Rs 1-8-0 is added on with a plus sign 5's are altered to 6's, 7 to 8, 2 to 4, 4 to 12 and so on, and Rs 2-10-8 is interposed to equalise receipts and expenditure

(d) September,1925 - Totals do not agree

(e) No accounts are entered for February, 1926

(f) Following corrections are made in years -

22-11-28 is written and corrected to 22-11-27,
15- 9-29 is written in place of - 15- 9- 27,
27-12-28 is written and corrected to 27-12-27,
30-12-28 -do- -do- 30-12-27,
12- 3-28 is found in place of - 4- 3-29

These mistakes and corrections in years are

a clear indication that accounts could not have been written from year to year, much less from day to day They must have been copied from some other source The Puja accounts are in two books The first book is well bound and has more than half the number of pages left blank The second book is a trifling note-book, and accounts here are entered less clearly and less methodically than in the first book The Puja expenditure of 2 years is written up contiguously at the end of accounts in the first book This perhaps gives a clue to the creation of a second volume, when really there was no need for it It has also to be remembered that Mr Munisiddappa was frequenting the Office almost every day when his case was under investigation and refused to receive - delivery of a letter calling for the account books Perhaps he was then not ready with his accounts The Farm Manager reported to me that Mr Munisiddappa while on leave, was ransacking old records in the office of the Sewage Farm for a number of days and taking notes and destroying loose papers It is possible he was getting up the accounts It may also be noted that the handwriting of the accounts for 1925 is as fresh-looking as those of 1928-and-1929

Thus, Mr Rama Iyer's defence that the recoveries were voluntary and that Mr Munisiddappa kept a correct recor of the Puja Fund cannot be accepted, if regard be had for facts of the case

9 Next, Mr Rama Iyer states that Mr unisiddappa had nothing to do with the levy of Rs 3/= for every change of Khata Two witnesses are examined by the Committee, viz , Maridanda, old man, and Maridanda, young man, leaving alone Marichanna, for reasons given in para 11, Section (viii), page 16 The Report says -

> "Though the fullest opportunities were given to the present Manager of the Farm who first investigated the

the case in respect of fixing the number and selection of witnesses after taking the instructions of his Officer, no evidence has been adduced before us to show that even in a single instance Mr Munisiddappa recovered Rs 3/= on transfer of Khata from any one either voluntarily or by compulsion "

According to the Government Order, the President of the Municipal Council was "to receive further evidence that may be produced by the Petitioner, and hold any further enquiry that may be called for "

The clear procedure was to have allowed the Petitioner to cross-examine witnesses whose statements were already available and to let in fresh evidence, if any, in defence The Committee started with taking complete evidenc (with repeated cross-examinations) of witnesses all over agai and after a while, found its task too exacting to go through it all Mr Seshappa had more than 50 witnesses to examine 13 were called in and the case was closed Out of these, only two pertained to the particular charge in question - Maridanda, old man, says that it was customary to collect Rs for each transfer of Khata and that the amount was not used f the Puja This statement was not only contradicted by himself, but also by the other witness Maridanda, young man The old man elsewhere says -

"There used to be one recovery at the time of a person taking up a plot and another recovery on the occasion of its transfer between two parties "

Maridanda, young man, declared -

"The amount would be with me for being utilized to supplement funds given out of the Puja Fund for the dinne of our caste people "

The most that could be said about the evidence of

of these two witnesses, who are acknowledged to be in favour of Mr Munisiddappa, having more than once agitated for retention of his services in the Farm, is that it is absolutely contradictory Mr Rama Iyer does not recognise it, but gives prominence only to the version favourable to Mr Munisiddappa There was available a very large number of lessees who had stated in their Mahajars that Mr Munisiddappa was receiving the money No attempt was made to disprove the allegation and the issues have been confused, throwing the onus of proof on Mr Seshappa, and at the same time restricting his action in examining 13 out of more than 50 witnesses he had for - examination

Further on it is made clear in my explanation that Marichanna was threatening the witnesses with murder and shoe-beating if they did not contradict their Mahajars It is for this reason that I had special instruction given to Mr Seshappa to bring in all the witnesses whose Mahajars were on record; but the Committee preferred to examine one-fourth of the available number It is, therefore, a misrepresentation of facts to report, as Mr Rama Iyer has done, "that the fullest opportunities were given to the present Manager of the Farm in respect of fixing the number and selection of witnesses after taking instructions of his officer "

There are two more charges against Mr Munisiddapp which show how he played with Municipal Funds contrary to all rules and regulations The one is that he deprived the Municipality of Rs 122 of its revenue, and the other is that he was ever in the habit of temporary misappropriation of moneys he received from the would-be lessees

Taking the second charge first, we see that Mr Munisiddappa admits that he received deposits with application for lands in the Sewage Farm His rate was Rs 4/= per plot

and

and he held various sums for periods extending up to four months On allotment he remitted, out of every four rupees, Rs 2-12-0 to the Municipal Treasury, and usurped Rs 1-4-0 for his Puja This practice which is nothing short of temporary embezzlement of Municipal funds, is condoned by Mr Rama Iyer on the ground that "all the amounts have been fully accounted for in the explanation of Mr Munisiddappa dated 19-12-1929" A Mutsaddy by name Krishnappa, on a salary of Rs 15/= was dismissed by the Municipal Council for temporary misappropriation of Rs 70/=, though "he accounted for it" by refunding the amount And it has already been shown in para 8, page 6, that the subscription of Rs 1-4-0 per plot was not voluntary I can only say, in the words of Mr A Krishna Rao, who has thrashed out the charge in great details, that "this action of the official is grossly irregular and inexcusable "

The other charge is that Mr Munisiddappa realised from the Municipal Treasury as fodder charges Rs 122 and disposed it off as he liked His explanation is that he had oral permission from the Chief Officer in 1922 to disburse the amounts among the Farm staff Even so, no vouchers were obtained in support of the payments His further explanation is that he used the amount from 1925 onwards for his Puja, the Staff, it is said, agreeing to the contribution of their shares to the Puja Fund In reply to a question, he told Mr Vajravelu Moodaliar, Overseer, who wanted to know the practice in disposing off moneys received as fodder charges from the Municipal Treasury, that he had orders to credit the amount to the Puja Funds No such orders are forthcoming Obviously, Mr Munisiddappa is shifting from one explanation to another for his defalcation, each of which is equally unacceptable

The one argument which Mr Rama Iyer has in defenc

defence of Mr Munisiddappa's misappropriation, is that "the amount Rs 122/= is too trifling to tempt him " The second argument is that his actions were indirectly approved by the then President, Auditor and Curator, when his explanation for double claim for, and realization of, Rs 3-1-3 was accepted by them The exact words of defence are -

> "It would be extremely unfair to now hold up Mr Munisiddappa to blame on the ground that we differ from the then Curator, the then President or the then Auditor

This is an instance of distortion of facts

Explanation was called for, for double payment received by Mr Munisiddappa in respect of fodder charges The Auditor reported that Mr Munisiddappa, without offering any explanation, quietly short-drew the over-payment in a subsequent Bill This was referred back to him for furnishing the explanation In reply to this order, there is an explanation (Vide Enc No 30 dtd 1/93 of Mr Rama Iyer's Report) found in the file without anybody's orders, or initials, or office registration, and the previously rejected Bill is somehow, and quietly got passed, and the matter hushed up The whole matter is highly suspicious, at any rate, there is absolutely no ground for Mr Rama Iyer to assert that Mr Munisiddappa's explanation for over-payment of Rs 3-1-3, much less for his misappropriation, was ever noticed or accepted by the then President, Auditor or the Curator Mr A Krishna Rao has deslt with this charge against Mr Munisiddappa in more than four pages of typed matter and arrives at the following conclusions -

> "The conduct of the official in thus drawing Municipal funds and not duly and satisfactorily accounting for them, is not only grossly irregular, but is something more which requires further investigation "

11 There remains for me now to explain certain allegations against me in the conduct of the case The whole

whole report is full of unfair and unfounded aspersions and insinuations I can only deal with the more important ones lest my report should be too bulky

(i) The first allegation is that Javara, one of my orderlies, was appointed on a special salary of Rs 11/=, the last grade for peons being Rs 9/=, and that he left service when I left the Municipality, insinuating that I appointed him on a special pay This is untrue The fact is , he wa once a peon on Rs 11/= and he was re-employed on the same pay by Mr Rama Iyer himself, and he went back to his village to look after his family property, as there was a death of his father or brother in the family, and I have nothing to do with him

(ii) The second allegation is that I summarily dispensed with the services of Anantharamaiya and Kempiah I have already proved that Farm coolies were working in Mr Munisiddappa's house, grazing cattle in the Farm on standing and cut grass, carrying grass and vegetables to his house and mil to his customers Overseer Mr Vajravelu Modaliar told me (vide also his statement before the Committee) that the two officials were helping Mr Munisiddappa in his overt acts They were therefore dispensed with and told that their reinstatement would be considered by the Managing Committee and the Council Mr Vajravelu Modaliar was also replaced by Mr Seshappa, as, in my opinion, he remained neutral in the affair, or ignorant of losses sustained in the Farm It is not correct to say that Kempaiya's statement was extracte from him and made use of in framing charges against Mr Munisiddappa, as the latter preceded the former It is equally wrong to say that Kempaiya was reinstated because of his statement In fact, the third statement was submitted 20 days after he was reinstated If Mr Rama Iyer's report

report had been placed before the Council, as it should have been, he would have been told by the Council, that it was they who decided reinstatement of Anantharamaiya and Kempaiya on the ground that they were poor servants who could not possibly disobey Mr Munisiddappa Orders for reinstatement were passed within an hour after the Council Meeting terminated, in accordance with the express wishes of the Councillors, as may be seen from the records

(iii, Next, Mr Rama Iyer insinuates that I changed the wording of a Resolution of the unicipal Council with an evil motive The minutes of the Council Meeting are merely notes taken by the President to help him to draft the Resolutions subsequently, for circulation and approval The Resolution as worded subsequently was circulated among the Councillors and was also approved at the following meeting of the Municipal Council The proposal embodied in the report was no new invention of mine for the ruin of Mr Munisiddappa, but the Council's decision And after all, I do not see any difference between -

(a) "Disciplinary action may be taken by the President as seems best to him",

& (b) "Disciplinary action may be taken as proposed by the President "

If anything, the second one is more restrictive in its - operation.

Secondly, the Government Order of dismissal of the official was circulated and brought up before the Council on 27-7-1927 It expressly stated that the Government did not agree with the Council's decision to reduce Mr Munisiddappa's salary to Rs 75/= That the Council reiterated that its previous resolution might be accepted by the Government is sufficient proof of my integrity Mr Rama Iyer would have had

had no occasion to draw conclusions from his imagination, if he had referred the matter to the Council, as he should have done

(iv) The Report states that I am guilty of not circulating all the records of the case among the Councillors The matter of circulating records etc , among Councillors, is a matter of detail to which the Office Manager was attending So far as I remember, I am not responsible for with-holding any records, and no special blame could attach to me on that account Nor did the Managing Committee or Municipal Council complain at any stage that records were not circulated, though Mr Munisiddappa's case came up for discussion on more than two occasions Had Mr Rama Iyer's report been placed before the Council, this unfair and unnecessary accusation would have found no place in the report

(v) Next, Mr Rama Iyer says that when a Committee of experienced lawyers appointed by the Council demanded certain papers for perusal, they were told that the records were not necessary for them <u>This is another instance of distortion of facts</u> A perusal of my letter to the Committee (which is Enclosure No 64 of Mr Rama Iyer's Report) will falsify his allegation

(vi) With regard to my non-appearance before the Enquiry Committee, I must say that I acted, as I did, on the advice of Mr Rama Iyer He said he would be the last person to tolerate the President's action being questioned by a Committee, and that I might justly refuse to appear before the Committee Mr Rama Iyer had, however, several discussions with me about the case I furnished him all the information needed by him He also remarked that he was convinced of the guilt and that if he possessed 30 votes, he would cast all of them against Mr Munisiddappa My surpri

surprise at Mr Rama Iyer's volt face is inexpressible

(vii) The next allegation is that I refused copies of charges and evidence to Mr Munisiddappa when he asked for them with a view to appeal to the Council I questioned him if he hoped to successfully deny farm coolies working in his Dairy, grazing his cattle in the Farm and conveying grass and vegetables to his house, and milk to his customers I mentioned the names of his customers in Chamarajapet, whos houses I had visited with the indication given by the coolie I also mentioned to him that he had misappropriated cattle pound fees and held large sums of deposit from lessees When he learnt that I had, out of good-will towards him, omitted these serious charges, and the possibility of these charges coming to light if a discussion was raised in the Council, he thanked me for my good intentions, expressed regret for past conduct and promised to become a better man On my part, I encouragedhim to work enthusiastically as Sanitary Inspector and forget the past I further added that, afte 3 months I would have him restored to his original pay, if the Health Officer was satisfied with his work It is inde unfortunate that my softness should have been taken for - tyranny

(viii) The next accusation is that Marichanna was threatened and transferred without the President's consent for giving evidence not suited to my opinion, and that I refused to explain the matter when asked about it by the - President " <u>This is one more instance of deliberate dis-tortion of facts</u> Mr Seshappa, the Farm Manager, reported to me that the Farm coolies were being threatened with murde and shoe-beating by Marichanna, if they did not contradict before the Committee what they had stated in their Mahajars, and that the coolies were restless and unwilling to work at

the Farm

The next morning, there was a Municipal Council Meeting, ob Trust Board Meeting After it was over, I proceeded to the Sewage Farm Mr Mohamad Sait, who attended the meeting and who had not seen the Farm for over six months, offered to accompany me and see the improvements recently secured in the Farm Immediately after we arrived, the coolies flocked to us and confirmed Mr Seshappa's report Mr Mohamad Sait said he would speak to the President and have Marichanna dismissed for his conduct, and we assured the coolies of Police help if necessary and advised them to work on peacefully Incidentally Mr Mohamad Sait enquired the coolies if the Dairy was run with the help of farm coolies and grass, They all said that it was so As a precautionary measure, I directed Marichanna to work under the Avenue Inspector for a week It may be mentioned here that thereafter Marichanna absented himself from duty and was found waiting at the President's bungalow several times His written complaint was not referred to me for explanation, or remarks, but was taken as a fit matter for the Committee's deliberation Marichann was a Duffedar under Mr Munisiddappa for a number of years His evidence before the Committee is in direct contradiction to that before Mr Seshappa; the last entry in the Puja Fund accounts shows a loan of Rs 95/= against him though all witnesses admitted that not more than a month's salary was given as loan, and he was in arrears of 4 or 5 years' lease amount Marichanna was thus obviously persona grata of his past maste Added to this he had misappropriated caste-dinner funds, as admitted by both of them

During the afternoon of the same day, I personally reported the matter to the President He remarked that the case was sub judice (though he himself was never tired of telling everybody and the Council that Mr Munisiddappa was innocent and would be reposted to the Sewage Farm), and that

that Mr Mohamad Sait had no business to make enquiries He made a significant remark, "You have directed Marichanna to work elsewhere for a week I am thinking of transferring you, I mean, from the Sewage Farm " In these circumstances, it is indeed surprising that Mr Rama Iyer could go to the extent of telling the Government that I "refused to explain the matter when asked about it by the President,"and that "Marichanna was trahsferred for giving evidence not suited to my opinion "~ I am sure the Government will have no difficulty in judging who is telling the truth

(ix) Finally, Mr Rama Iyer concludes that "this is an instance of persecution of a subordinate officer to gratif the prejudice against him " With all his keenness to find defects in me and my conduct of the case, Mr Rama Iyer has not been able to indicate any evil motive governing my actior I have had absolutely no prejudice against Mr Munisiddappa On the contrary, I have more than once asked the Government for a lenient view of his case, both in person and in writing I particularly invite reference to my letter No 70 dated C T Io 5 of 16-9-29 I wrote that the Council felt keenly that their recommendation was not accepted by the Government and that the official committed irregularities for want of control over him I strongly recommended that the Council Resolution might be accepted This reference was preceded by a personal appeal to the Government as well

12 A perusal of my explanation will, I am sure, convince the Government of my perfect integrity in the conduc of the case on the one hand, and on the other, of the gross irregularities committed by Mr Munisiddappa, the most seriou of which was that he subjected the Municipality to a loss of ·-r Rs 100/= per month, or about Rs 8000/= to Rs 10,000/= ing the time his Dairy was run at the cost of the unicip

ity

I am equally hopeful that the Government will please take notice of Mr Rama Iyer's campaign against me, as already exposed, and as will be revealed by the following facts

(i) Thirumalaswamy, Vehicles Inspector, misappropriated Rs 1000/= of Municipal funds On my detection, I instructed the Revenue Officer to verify the amounts received and credited He took about 6 to 8 weeks for enquiry and report The report was submitted to me an hour before I handed over charge to Mr Rama Iyer The papers were, therefore, placed before him for orders The Revenue Officer, Mr Hussain Ali, was also present Mr Rama Iyer said, "Thirumalasam is highly connected I want to let him off Mr Hussain Ali, take away the papers and see that the money is recovered " I remarked that it was not advisable to do so, and that I would have suspended him and reported to the Government Then he ordered his suspension Thirumalaswamy's relatives and Brahmin Councillors were told that he would have excused him but for me, and to the Non-Brahmin Councillors was given the story that I did not take any action against Thirumalaswamy because he was a Bram and that for want of good management, defalcation occurred during my Presidentship (<u>The fact is, it was going on for two years</u>) He further said that the very moment he took charge, he suspended Tirumal sami

I pray that the Government will please take notice of Mr Rama Iyer's duplicity <u>This is the third instance of the kind</u> The first was his avowed sympathy for my reversion and his complaint at the same time, to the Government that I was not cooperating with him because of my reversion

The second was his advice to me to refrain from giving evidence before the Committee and making capital of my absence in his report to the Government

(ii) Immediately after orders of my reversion were received, I wrote and asked Mr Rama Iyer when he would take charge There was no reply, a week later, a peon telephoned to me from the office at 3 P M that Mr Rama Iyer would take charge of the Office between 4 and 5 P M that day It was a Hindu Holiday,-"Anan Chathurdasi, and the office had been held in the morning I had to run up at an hour's notice given by the peon and hand over charge

The same day I received two D O's from him, both pertaining to the Municipal Budget The one was delivered a 6 P M (barely an hour after the charge was passed) and the - other at 10 P M The reply was to be sent before a particu hour next day, failing which, the D-O ran, I was to be report to the Government (I cannot quite remember whether D O's were received on the same day or next day)

(iii) A day after, Mr Rama Iyer went to Bangalore to con vince, as he later on told me, the Comptroller of the incorrectness of the Municipal Budget proposed by me

(iv) The very day he returned from Bangalore, he convene a Special Meeting of the Managing Committee to get its approval to his modified Budget prepared within 3 days after he received charge His freely expres and advertised opinion that Mr Munisiddappa was in cent and would be got reinstated by him, worked a miracle And the Managing Committee accepted the modified Budget It was soon after placed before th meeting of the Municipal Council which, however, re- jected it, in favour of the original Budget

(v) The first time I met Mr Rama Iyer on his return fr

from Bangaloro, he said, "I am sorry for you The Dewan has let you down badly He says you are doing wonderful work Why should he not have confirmed you as President and sent me to one of the Districts? How can you possibly have any enthusiasm for work?"

I replied, "No, that is not how I look at it I never expected the post when I got it, and I never asked for it The Government conferred it on me out of generosity, and perhaps because I was doing satisfactory work If anything, it is an incentive to me to do better work with the hope that I may really get the President's post once more

At the same time he represented to the Government that I was not co-operating with him I was sent for, and informed of the complaint I was surprised as I never had occasion to think that I had not the good-opinion of the President I promised to ascertain and make up all differences and never lose enthusiasm in my duties

I asked Mr Rama Iyer wherein I had failed him He mentioned, after some consideration, three instances, none of which he could maintain They were as trivial as unreal Then he said, "Your Budget has brought me discredit I have lost my credit with the Municipal Council and the Government " Here, then, was the real thing, that was troubling Mr Rama Iyer I assured him that I was very sorry if I had unwittingly offended him in the conscientious discharge of my duties and offered unqualified apologies, as I was anxious that our differences should not again come to the notice of the Government And I also promised him my best service I do not think he was in a mood to have me, and so he continued to complain until we separated

12 Obviously, Mr Rama Iyer's campaign against me

is in revenge for my drawing the attention of Government to the deficit of Rs 1,66,000 in the Municipal Budget of that year discussed in the Council during my Presidentship I must also mention here that he was taking a good deal of interest in the Municipal Budget even during the period of his Special duty He sent word through the Vice President not to probe the question of the deficit, but I could not conscientiously comply My Manager, Mr Y Ramakrishna Rao who was a part-time clerk with him, was continuously receiving instructions from him and worrying me with one Budget after another, confronting my figures At one time, contrary to my instructions, the Manager presented a Budget neatly and closely written on 10 or 12 pages of printed form and showing a Surplus of over a lakh of rupees It was nothing but a Balance Sheet, and I was very much annoyed with him for his continuous disregard of my instructions He apologised and said that he was acting so under instructions from Mr Rama Iyer I do not press the matter further It is clear how his mind was working

13 Before closing, I beg to mention two facts which throw further light on the lengths to which Mr Rama Iyer has been prepared to go in order to malign me Not long after his return to Presidentship, a Municipal Councillor, Mr Mohamed Sait, informed me that Mr Rama Iyer was telling the Councillors that I had tampered with the records of the sale of two Trust Board sites, and that he was thinking of prosecuting me for it Mr Rama Iyer knew that it was a lie, and that the clerk concerned had by oversight included certain trees in the sale of the site, and had later on struck off and initialled the correction, without my knowledge His explanation had been accepted more than a year ago by Mr Rama Iyer as there was found to be no bad motive in making a clerical correction, and the papers filed But still Mr Rama Iyer

List of papers in the file relating to the irregularities practised Sewage Farm by Mr M R Munisiddappa

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Sl No	No & date	Description
1(A)	G T 2281 to 85 21-5-1929	Memo directing Mr Vajravelu Modaliar to hand over charge of the Sewage Farm to Mr Seshappa
1	G T 2280/21-5-1929	Memo dispensing with the service of clerk Anantharamiah and Maistry Kempiah
2	- 27-5-1929	Explanation of clerk Anantharamiah
3	- 28-5-1929	Statement of Pulla endorsed by 21 people
4	- 29-5-1929	Reply from Maistry Kempiah to above notice to the address of the Manager Sewage Farm
5	- 1 -6-1929	Statement of betel vine lessees
6	- 4 -6-1929	Note by Mr Seshappa
7	- 7 -6-1929	Explanation of Mr Vajraveloo Modaliar
8	G T 2562/14-6-1929	Notice to Mr Munisiddappa calling for explanation
9	G F 2155/19-6-1929	Explanation of Mr Munisiddappa
10	- 20-6-1929	Statement of Maistry Kempiah
11	-	Note of facts by Mr Ramachangiah
12	24 26-6-1929	Managing Committee's Resolution on the subject
13	- -	Unopened cover addressed to Mr Munisiddappa
14	- 28-6-1929	Acknowledgment slip for above
15	571 29-6-1929	Council's Resolution on the subject
16	G T 2664/30-6-1929	Memo reinstating Anantharamiah & Kempiah
17	2663/ "	Memo reducing the pay of Mr Munisiddappa to Rs 7
18	" 2665 "	Notice to Mr Munisiddappa calling for explanation as to why he refused to take delivery of the letter
19	" 2672/ 1-7-1929	Draft letter to Mr Krumbiegel
20	2682/ 2-7-1929	Draft letter to General Secretary to Government reporting facts of the case
21	- 1-7-1929	Reply of Mr Munisiddappa to serial No 18 above
22	- 4-7-1929	Statement of peon Khasim
23	G F 2191/25-6-1929	Letter from Mr H C Dasappa re Maistry Kempiah
24	G T 2624/26-6-1929	Reply to above
25	- 1-7-1929	Memo from Health Officer stating that there is no suitable place for Maistry Kempiah in his Department
	- 3-7-1929	Memo from Avenue Inspector re place for Maistry Mr Kempiah

27	G T 2693/3-7-1929	Requisition to Curator to send personal files of Mr.Munisiddappa & Venkataramiah take back Kempi
28	G F 2341/	Reply to above
29	G T 2698/4-7-1929	Letter to Curator to send personal files of Mr Munisiddappa and Venkataramiah
30	G T 2751/6-7-1929	Notice to Mr Munisiddappa asking him to forward the account book of private collections
31	G T 2764-67/9-7-1929	Memo ordering that applications for leases etc should be sent through Revenue Officer for orders
32	G F 2320/10-7-1929	Reply from Mr Munisiddappa to serial No 30 above
33	G F 2321/ "	Application from Mr Munisiddappa for certain copie
34	G T 2786/11-7-1929	Reply to Mr Munisiddappa to produce accounts relating to Pooja Fund
35	G T 2775/10-7-1929	Endorsement to Mr Munisiddappa to item No 33
36	G T 2787/10/11-7-929	Letter to General Secretary forwarding copy of application of Mr Munisiddappa(Item 33)
37	G T 2831/16-7-1929	Order to Kempiah directing him to report himself for duty to Curator
38	- 19-7-1929	Statement of Maistry Kempiah
39	- 19-7-1929	Memo from Mr Munisiddappa intimating that he will return to duty from 20-7-1929
40	G T 11/ "	Memo ordering him to work as Sanitary Inspector
41	L 575/M1 3-29-4 "	Letter from General Secretary stating that Mr Munisiddappa should be dismissed & Prosecuted
42	19-7-1929	Mr Munisiddappa's letter with account books
43	C T 3/23-7-1929	Letter to General Secretary with referesence to 41 above
44	G F 34/	Letter from Mr Krumbiegel
45	708/25-7-1929	D O letter from General Secretary(reply to 43 abo
46	50/27-7-1929	Copy of Council's Resolution
47	C T 4/2-8-1929	Letter to General Secretary with copy of the abov
48	F 86 E /1-8-1929	Application from Kempiah to keep him in Municipality
49	95/13-8-1929	Order w thdrawing transfer order of Kempiah
50	G F 153/15-8-1929	Letter from General Secretary declining to reconsider the order already passed
51	to F/16-8-1929	Memo ordering dismissal of Mr Munisiddappa
52 to 60	-	List of papers re irregularities practised by Mr Munisiddappa
Memo 95/13-8-1929		Fair draft of item No 49
27-7-1929		Letter from Public Prosecutor

54A	-	29-8-1929	Draft letter to Public Prosecutor
54	G T 310/30-8-1929		Fair draft of above
55	22 -	22-8-1929	Draft confidential letter to Public Prosecutor requesting his considered opinion re prosecution of Mr M R Munisiddappa
56A-C	-		Same as 51A to C
57	G T 270/23-8-1929		Fair draft of item No 55
58	G T 269/23-8-1929		Letter to Curator requesting to forward the personal files of Mr Munisiddappa & Venkataramiah
59	-	Draft reply	to item No 50
60	G T 286/26-8-1929		Fair draft of above
61	- -		Copy of item No 50
62	76/31-8-1929		Council's Resolution re above
63	9-9-1929		Proceedings of the Sub-Committee appointed to consider the powers of the Council re dismissal of Municipal employees
64	-		Draft letter to Memoers of the above Sub-Committee
65	G T 365A-E/11-9-29		Fairdraft of above
66	-	5-9-1929	Letter from Mr Munisiddappa requesting reinstatement pending his appeal to Government
67	G T 380/12-9-1929		Reply to above
68	G T 379/12-9-1929		Letter to Mr Munisiddappa requesting the production of the accounts of Pooja Fund in original
69	G F 334/16-9-1929		Letter from Public Prosecutor tendering a note re prosecution of Mr Munisiddappa
70	C T 5/14-9-1929		Letter sending the opinion of the Public Prosecutor to Government
71	G F 332/14-9-1929		Letter from Mr Krumbiegel re transfer of Maistry Kempiah
72	-	16-9-1929	President's order slip re above
73	-		Draft reply to item No 71
74	G T 464/16-9-1929		Fair draft of above
75	C T 6/	'	Draft letter to Mr Munisiddappa re further irregularities
76	"		Fair draft of above
77	L 1192/M1 3-29 ber 18/10-9-1929		Petition of Mr Munisiddappa to Government dated 5-9-1929 containing 4 pages(enclosure to item 78)
78	G F 382/21-9-1929		Letter from Government ordering further enquiry in Mr Munisiddappa's case
79	G F 431/27-9-1929		Petition of lessees of betel vine in the Sewage Farm requesting refund of their money etc
	G F 432/28-9-1929		Letter from Covernment returning the Public Prosecutor's opinion etc

81	-	28-9-1929	Council's Resolution No 113/28-9-1929
82	G T 663-666/21-10-1929		Letter to members of the Committee appointed in the above resolution convening a meeting o the Committee
83	-	21-10-1929	Letter from Mr Dhanakotichetty agreeing to hol the meeting of the Committee on 24th &25th October 1929
84	-	-	Letter from Mr M S Ali Khan
85	-	22-10-1929	Letter from Mr A Krishna Rao that 24th & 25th are not suitable to him
86	G T 678/22-10-1929		Reply to above
87	-	22-10-1929	Draft letter convening a meeting of the Committee on 24th and 25th October 1929
88	G T 681-683/	'	Fair draft of above
89	-	22-10-1929	Draft letter to Mr Munisiddappa requesting him to be present at the Committee meetings
90	G T 679-680/	'	Fair draft of above
91	-	23-10-1929	Letter from Mr Munisiddappa asking for certain copies
92		24-10-1929	Power of Attorney filed by Messrs S K Suboa Ra & S Narayanaswamysastry counsel for Mr Munisiddappa
93-103		24-10-1929	Statements taken on 24-10-1929
104		29-10-1929	Letter from Mr A Krishna Rao regretting inabil to attend the meeting on 29-10-1929
105	-	28/29-10-1929	Petition of Marichanna re his transfer from Sewage Farm
106	-	8-11-1929	Letter from Mr K Dhanakotichetty regretting inability to attend the meeting on the 10th
107	-	6 -11-1929	Letter from Mr A Krishna Rao "
108	G T 816/822/8-11-1929		Memo postponing the meeting to the 12th inst
109	-	9-11-1929	Letter from Mr H C Dasappa regretting inabilit to attend the meeting on Sunday the 10th inst
110	G T 829-835/9-11-1929		Memo postponing the meeting to the 14th inst
111-126	-	-	Statements taken on 14th 19th & 20th November
127-154	-	-	Cross examinations held on 24th & 26th Novembe and on 2nd 4th & 5th & 6th December
155-160	-	-	Examination of two more witnesses viz Patel Maridanda and young Maridanda on 23-1-1930
161	-	27-1-1930	Further examination of Marichanna
162	-	22-11-1929	Application of Mr Munisiddappa for some copies
163	No A/4-12-1929		Letter to Messrs A Krishna Rao & K Dhanakoti chetty intimating the postponement of the meeting to 5-12-1929

		4-12-1929	Acknowledgments to letters Nos C T 976 & 977 dated 4-12-1929
65	G T 978-980/5-12-1929		Memo adjourning the meeting to 6-12-1929
66	G T 1040-1044/14-12-1929		Do 16-12-1929
67	1080-1084/21-12-1929		Do 23-12-1929
68	-	17-1-1930	Memo requesting a convenient date for the next meeting
69	-	21-1-1930	Memo intimating that the next meeting will be held on 23-1-1930(Draft)
70	G T 1188-1192/21-1-1930		Fair draft of above
71	-	23-1-1930	Letter from Mr H C Dasappa stating he would attend the meeting a little late
71A	G F 1003/23-1-1930		Petition from lessees of betel vine garden to write off the royalty on their plots
72	G F 1024/27-1-1930		Letter from Mr Y Ramaswami regretting inability to attend the meeting on 27-1-1930
73	G F 1025/27-1-1930		Letter from Mr Dhanakotichetty " &requesting to elicit ~~xxxx~~ answer from Mr Y Ramaswami on certain questions
74	No A & B/27-1-1930		Letter to Messrs Y Ramaswami & Dhanakotichetty intimating that the meeting is adjourned to 28-1-1930
75	T 349E/28-1-1930		Letter from Mr Y Ramaswami stating he would explain his conduct to Government
76	G T 1331-1334/13-2-1930		Memo intimating that the next meeting will be held on 15-2-1930
77	C T 24/1-3-1930		Sending the file to Mr A Krishna Rao and requesting to send his report early
78	-	11-3-1930	Letter from Mr A Krishna Rao requesting the ~~ex~~ to send the explanation of Mr Munisiddappa in original re fodder charges
79	C T 25-26/2-4-1930		Sending the report passed by the President & Mr H C Dasappa to Messrs K Dhanakotichetty and T S Ali Khan and requesting to know if they would agree to it
80	C T 27-30/5-4-1930		Draft Memo intimating that the next meeting of the Committee would be held on 8-4-1930
81	"		Fair draft of above
82-187	-		Order sheet from 24-10-1929 to 8-4-1930
88	-		Written statement of Mr Munisiddappa dated 23-12-1929 containing 46 pages and another sheet containing detailed accounts re Exhibit G
	-		List of enclosures to the written statement referred to above
			Public Prosecutor's opinion dated 12-9-1929 & 7-7-1929 containing pages 16 plus one

191 - List of interrogatories put to Mr Y Ramaswami by the President in letter No C T 21/20-12-1929 pages 5

192 - List of interrogatories intended to be put oy the Counsel for Mr M R Munisiddappa

193 Papers connected with the explanation of Mr M R Munisiddappa re disposal of fodder charges and the token chit amounts -

1-3	-	-	Draft answers to the interpellations of Mr C Narasimhayya by the staff of the Sewage Farm
4		-	Bill for Rs 1-2-6 for fodder charges of Sewage Farm Cattle Pound dated 22-5-1929
5-6	-	-	Draft answers to the interpellations of Mr C Narasimhayya by Mr Vajravelu Modaliar
7		-	Interpellations of Mr C Narasimhayya Municipal Councillor re fodder charges
8	F 403E/20-11-29		Letter of Mr C Narasimhayya re above
9-10			Calculation of the charges paid for Sewage Farm fodder charges from 26-6-1922 up to 22-3-1929
11			Abstract of above (typed copy)
12-13			Peply to Mr C Narasimhayya's interpellations - two copies
14-24	19-12-1929		Letter from Mr Munisiddappa enclosing copy of his explanation re alleged discrepancies in the Sewage Farm accounts noticed by the Municipal Engineer
25-29			Memo of discrepancies noticed by the Municipal Engineer in Sewage Farm accounts dated 5-12-1929 and the President's order thereon
30	T274E 6/7-12-1929		Letter from Municipal Engineer re above
31-37	19-12-1929		Reply from Mr Munisiddappa submitted to the Municipal Engineer(same as 14-24)
38	G T 929/26-11-29		Memo to Mr Munisiddappa directing him to produce the fodder charges drawn by him from time to time amounting to Rs 122-2-9
39	-	29-11-1929	Reply from Mr Munisiddappa re above
40	-		Managing Committee's Resolution No 7/15-1-1930 re above
41	-	-	Copy of Chief Officer Mr Mahomed Peer's remark in the Cattle Pound Register dated 19-9-1920 re fodder charges collections
42	G T 920/22-11-29		Letter to Mr Munisiddappa requesting to explain the disposal of fodder charges drawn by him from time to time
43-44		28-11-1929	Reply of Mr Munisiddappa to the above
45		-	Managing Committee Resolution No 6 dated 15-1-1930 regarding the above
46-47			Audit objection dated 22-4-1927 re double drawal of fodder charges
48	G F 1220 7-4-1927		Letter from Curator Parks & Gardens Mysore forwarding explanation of Mr Munisiddappa re the above
49	-	-	Voucher No 3088 dated 21-6-1927 for net claim of Rs 3-0-9 for fodder charges
50	-	-	Explanation of Mr Munisiddappa(enclosure to serial No 48 above)
51	-	-	Typed copy of the above

194 Exhibits for the prosecution A to A7 as per list enclosed in the cover

Do defence D1 to D12 Do

196 Pooja Account Book I of Mr M R Munisiddappa in original

197 Do II Do

198 Copies of Pooja account Book I produced by Mr M R Munisiddappa

199 Do II Do

200 Manual of General circulars and standing orders Part I copied by Mr M R Munisiddappa

~~201 Report of the majority~~

~~202 Report of Mr A Krishna Rao, P A B L~~

Chairman

President

GVN

History of the case

This case originated with the information give by peon Javara and watchman Kulla Javara was one of the orderlies of the Municipal Engineer Mr Y Ramaswami When Mr Y Ramaswami joined duty here this Javara was appointed on a special starting pay of Rs 11, the last grade for peons being only Rs 9/- Javara left the service when Mr Y Ramaswami left the Municipality recently Kulla, a cooli of the Farm stated before the Committee " Javara came to the Farm 15 or 20 days after Mr Munisiddappa went on leave " x x x " Javara peon of the Engineer had come to the Farm for vegetables and then he asked me for information regarding the irregularities in the Farm and I gave him the information I knew Three days after, I was sent for by the Engineer and told him everything " x x x " Till Javara came and made enquiries there was no complaint " x x x Mr Seshappa asked me to go to the Engineer's house " x x x The Engineer sent for me to his house and asked me about the matter and I told him these things " This is the genesis of the case namely information given by peon Javara to the Engineer and his verification of the same from Kulla the ~~information~~ informal whose statement was not recorded in writing then

2 The very next day things that happened was the removal of Maistri Kempia and clerk Anantharamia from the service by an order dated 21-5-1929 which runs as ~~xxxx~~ follows -

" As clerk J N Anantaramia and Maistri L Kempia of the Sewage Farm are learnt to have taken to illicit practices in the Farm, it is hereby ordered that their services be dispensed with from to-day "

3 As it is not on record how the Municipal Engin President learnt that Anantaramia and Kempia had taken to illicit practices and as this Officer declined to

state (when requested in writing) how he learnt their taking to illicit practices, one has to gather that they were removed by him on Javara's or Kulla's information, because Kulla states -

" I told the Engineer's orderly Javara who had come there for vegetables regarding grazing of cattle etc a few days after Maistri Kempia and clerk Anantaramia were suspended "

Anyhow the learning of the Engineer from an undivulged source about unspecified-irregularities proved for the time being fatal to the appointments of two officials of long-standing drawing Rs 23 and 25 respectively

The next happening in the case is the recording of the statement of Kulla by Overseer Seshappa who was in charge of the Farm on the 28th May 1929 Though Maistri Kempia and clerk Anantaramia were removed from service a week previously i e , on 21-5-1929, the very first statement recorded about irregularities in the Farm is this statement of Kulla on 28-5-1929 After this statement was recorded it was circulated for approval among the coolies of the Farm both on the 28th and on the 29th May 1929 They are shown as having supported some of the allegations in Kulla's statement by referring to the serial numbers of the allegations and not to their subject matter - It would be rather an intellectual feat for a Farm cooly to say ' I agree to allegation Nos.1,3,7,8' and so on On 29-5-1929 Maistri Kempia furnished his first statement and asked for reinstatement On 1-6-1929 Seshappa took a mahazar from the lessees regarding the recovery of pooja fund subscription from betel-vine plot lessees on allottment of the plot by Mr Munisiddappa On 20-6-1929, the Ag President recorded the second statement of Maistri Kempia

When Mr Munisiddappa presented himself for duty on

20-6-1929 on the expiry of his leave submitted his duty report, the duty report which was received ~~xx~~ was returned to him and he was not taken to duty

On 26-6-1929 the matter was brought before the Managing Committee by the Ag President without circulating the papers before the Committee The Managing Committee referred the matter to the Council as the irregularities alleged (of course by the President) were serious The matter was placed before the Council on 29-6-1929 here also without circulating the papers The Council not having seen the papers naturally left it to the President to deal with the matter and the resolution as it originally stood in the minute book ran as follows -

Disciplinary action may be taken by the President as seems best to him '

8 This resolution is the most natural one under the circumstances as the Council not having seen the papers and with nothing more than the President's oral version before them left it to the President to do what he thought best It is important to note that this resolution is one of neutrality so far as the Council was concerned and was without prejudice to their powers to hear an appeal against the orders of the President under Rule 1 chapter VII of the Municipal Rules and Bye-laws Sometime after this resolution was sent to the typing section and typed correctly an ingenious alteration crept into the resolution which had the significant effect of identifying the Council with an unspecified proposal of the President and depriving them of the right to reconsider or to entertain an appeal against the order of the President The alteration was effected thus -

" Disciplinary action may be taken as proposed by the President "

The resolution is in the dark as to what the proposal was That the alteration was a late after-thought after the original was correctly typed is clearly proved by the typed extract of the resolution containing

the same correction as the Minute book A further shifting of responsibility appears in the Ag President's order No C T 6 dated 16-9-1929 where the Ag President who had not circulated the papers or even an Office note on the case to the Managing Committee or Municipal Council stated that the "following irregularities among others were taken into account by the Managing Committee and Municipal Council in awarding punishment' On 2-7-1929 a report was sent up to Government enclosing an extract of the Council Resolution as altered but here again the records were withheld Both according to the resolution of the Council as recorded in the meeting and also according to its later alteration in the Office the President's proposal stood uninterfered with and was recommended to Government for acceptance in letter No G T 2682 dated 2-7-1929 One would expect that orders of Government would be awaited But whether out of curiosity or other impulse a reference was made to the Public Prosecutor on 6-7-1929 enquiring if the case was a good enough one for prosecution The Public Prosecutor after a careful perusal of the entire records gave a definite opinion on7-7-1929 that it was not at all a fit case for prosecution It is strange that this opinion of the Public Prosecutor was withheld from the notice of Government though after receipt of this opinion the Ag President received repeated orders from Government to prosecute Mr Munisiddappa and though this opinion would be the most important matter for the consideration of Government in deciding whether ~~there should be a prosecution~~ Nor, ~~does it appear to have been brought~~ to the notice of the Council On 7-7-1929 Mr Munisiddappa asked for copies of the charges and evidence taken in his absence and stated that he wanted to prefer an appeal to the Council Even though the evidence was taken behind his back and he had no means of knowing on what evidence he was punished, he was informed that there were no records

useful to him and that ~~xxxxx~~ 'no copies can be given to him' He was also informed that he is ill-advised to seek the protection of the Municipal Councillors ~~It is the height of unfairness~~ we can never consider it fair on the part of ~~the~~ any Officer to refuse copies of evidence taken in the absence of a public and on which he has been punished and to threaten him against appealing to a duly constituted appellate authority

On 19-7-1929 orders of Government were received on the Ag President's report No G T 2622 dated 2-7-1929 against Mr Munisiddappa directing dismissal and prosecution Instead of carrying out the order (for which there was an undisclosed difficulty namely the Public Prosecutor's opinion of 7-7-1929) the matter was placed before Council on 27-7-1929 and the Ag President himself recommended to Government leniency towards Mr Munisiddappa He was by this time between the unexhibited Public Prosecutor's opinion against prosecution and the Government order directing prosecution Government again directed dismissal and prosecution in their letter No L 1221/M1 3-29-14 dated 14th August 1929 Even then the Public Prosecutor's opinion of 7-7-1929 which might throw doubt on the whole case was not sent up to Government, but the second order of Government dated 14-8-1929 was placed again before Council position was allowed to develope in which the Council's powers as against the orders of Government were to be examined by a committee When this committee asked for the records they were told that the records were not necessary for them On the 23rd August 1929 the Ag President who had received the Public Prosecutor's opinion as long ago as 7-7-1929 dissuading a prosecution (which was not allowed to see the light of day) wrote to Government a misleading letter to the effect that as regards prosecution the file of papers were being sent to the Public Prosecutor with a request to furnish his considered opinion about the prosecution. Instead of submitting the Public Prosecutor's carefully considered opinion of 7-7-1929

to Government to be considered by them before repeatedly ordering prosecution, the Public Prosecutor was asked in letter No G T 270 dated 22/23-8-1929 to reconsider his opinion of the merits of the case

The present enquiry

At this stage Mr Munisiddappa filed an appeal before Govdrnment and the Government were pleased to order a fresh enquiry A fresh enquiry de novo was held in the presence of Mr Munisiddappa and his counsel by a Committee of the Council composed of the President, Messrs A Krishna Rao, P C Desappa, P Dhanakotichetty and T S Ali Khan The evidence was recorded by a stenographer The present manager of the Sewage Farm, Overseer Mr Sahappa who had investigated the case was allowed to select the personnel and number of the prosecution witnesses, in the consultation with the Municipal Engineer Mr Y Ramaswami As there were several points which required elucidation from Mr Y Ramaswami he was at first furnished by a typed questionnaire by the President He refused to answer them This matter was brought to the notic of the Committee who including Mr A Krishna Rao were unanimously of opinion that his appearance was necessary to elucidate several matters Mr Y Ramaswami pleaded 'certain inconvenience' to appear on 27-1-1930, but when to avoid similar disappointment the committee offered to send a questionnaire he refused to appear before the Committee stating that if his findings did not agree with the permanent President's then it would be time for him to give any explanation to the Government

The allegations against Mr Munisiddappa

In the absence of a note on the case by the Ag President the allegations against Mr Munisiddappa which led to action being taken against him are gathered from the following documents -

(a) The Ag President's order No C T 2562 dated

dated 14-6-1929 calling for the explanation of Mr Munisiddappa

(b) The Ag President's letter to Government No G T 2682 dated 2-7-1929 reporting on the facts of the case

The allegations contained in them are -

(i) "unlawfully levying every month Rs 1 to 2 per plot on each lessee and Rs 3 for each change of khate in the case of similar area "- allegation 1 of (a) and (b) above

(ii) " Receiving every month four annas ~~from~~ from each cooly after payment of wages and rupee one on appointment", and " squeezing out in a particular case Rs 5 from each of 2 coolies for re-employment"

(iii) " Maintaining a farm in the name of his brother-in-law with the grass cut in the Farm to the extent of 250 lbs a day and letting about a dozen cattle to graze every afternoon in the Farm" The ~~sale~~ same allegation appears also in the report to Government as item 3 with the substitution of " father-in-law" for "brother-in-law"

(iv) " with the money thus realised lending sums to Farm men at an enormous rate of interest viz 1¼ annas per rupee per month "

These and these alone were the specified irregularities in respect of which the explanation of Mr Munisiddappa was called for and which were reported to Government They have therefore to be treated as representing the substance of the complaint against Mr Munisiddappa

While these matters were under fresh enquiry as ordered by Government the same Officer (now Municipal Engineer) brought to notice two other alleged irregularities viz the crediting of fodder charges of the cattle-pound to the pooja fund (this was also the subject of an interpellation in the Council), and the delayed and irregular~~ities~~

adjustment of some amounts deposited with Mr Munisiddappa by intending lessees of betel-vine plots

The facts of the case cannot be understood without a general idea of the Farm and its working The total area of the Farm is 143 acres which comprised during the managership of Mr Munisiddappa of 46 acres of betel-vine plots cultivated by lessees, 11 acres of vegetable plot cultivated departmentlly by farm-coolies and 60 acres of banjar land, and the rest for roads There are 12 betel-vine plots to an acre and the rental due to the Municipality on each betel-vine plot per annum is Re one in the first year and Rs 4 to 6 in the fifth and subsequent years It is important to remember that the annual rental on each plot is no more than 6 to 8 annas per mensem That being so, the alleged " unlawful levying every month of Re 1 to 2 per plot on each lessee" which the Ag President believed and reported to Government is manifestly too improbable to be believed as the hundreds of lessees would not pay as unlawful levy every month 3 to 6 times the lawful monthly rental There has been a frightful misconception aoout this matter on the part of the learned Ag President The very evidence on which this theory of monthly levy of Re 1 to 2 per plot purports to have been based is just what gives the lie to it The passage relating to this allegation in the mahazars recorded before the Overseer Mr Seshappa runs as follows -

Rs 4 to 6 and if fed monthly the per plot is

6 ప్ర రింకొండు పొరమ్మట నా కారు కళ్ళ ర్సీకరించిన పత్ర చరించుకొన్నా ప్ర రింకొచ్చిరింద లంచాలు కొండలనేయు మొత్తిన 12-12-0 చొ కనే వ్యా జీ వ్యందు యంబుదాని 1-0-0 రూ చొప్పు రసూలు నూకు క్రొరీ ము ని సిద్ధవ్వ నా కారు కనేదు కొంటక్ర 2 రు క్రొరీ

Mahazar of 28/5/29

This alleges only an initial levy for pooja at the time of allottment and not a recurring monthly levy
Again in the mahazar of 1-6-1929

ನಾವು ನಳು ನಪಟ್ಟದಕ್ಕೆ ಕಾಲುನಳನ್ನ ಪ್ಲಾ ಲೀನ ಕೆಸೆದು
ಕೊಳ್ಳ ರಶ್ಮ ಾಲರಲ್ಲಿ ಕೊಂಡಲಸೇಮಿನ್ನು ರ ದಾಯಾನ್ನು ಕಾಲ್ಪ
ಅಜಿನ್ಪೈರು ಮಿಳ್ಳನ್ನ ಕಡಾಕಾರಶಿ ಕಾಡುವ ಾಲರಲ್ಲಿ ಪ್ರಾಚಿ
ಕೊಂಡಿನ್ಪರ ಎಂಬುದಾಗಿ 1-0-0 ರೂನ್ನ ಲಿಳ್ಳಿಸಿ ಕೊಂಡಭಿಂಕಿಸಿ
ಲೀಳ್ಳ ನಪಟ್ಟಕಳಿಂದನಾನ್ನು ಸೇಲಿಚ ಲು ಕಾಲುವಿ ಸಿದ್ದ ಪ್ಪನವರು ಕಡಿ
ಲು ಮಾ ಡಿಕೊಂಡಿರುತ್ತಾರೆ

Even this does not warrant a theory of a recurring monthly levy Even the only statement recorded in English by the Ag President runs as follows -

" 1. Rupees 1 to 2 was collected per plot The report of Overseer Seshappa who assisted the Ag President in the investigation of the case does not refer to a monthly levy The theory of a monthly levy of Rs 1 to 2 per plot is opposed to the very evidence on which it pretends to have been ~~leased~~ based This theory of a monthly unlawful levy was first introduced in the Ag President's order to Mr Munisiddappa calling for his explanation Even though Mr Munisiddappa in his explanation accepted the evidence on record admitted the recovery of a sum for the pooja with the first khist of rental as alleged against him in the evidence, the theory of a monthly levy per plot was perversely persisted in the report to Government though opposed to all evidence, ~~the theory of monthly~~ in the case and opposed to the report of Overseer Seshappa as well The theory of a monthly levy of Re 1 to 2 per plot reported to Government has to be discarded as based on imagination and not on evidence It must have been highly prejudicial to the accused as the allegation of a monthly unlawful levy and other allegations were supported by the Ag President's assurance ' I personally

made enquiries and all the above facts were corroborated while opportunities to verify this perverse version were denied to all alike as the records were not circulated to the Managing Committee, the Council nor sent up to Government nor lent to the Sub-committee who asked for the records for reference

17 Another allegation against Mr Munisiddappa as set forth in the report to Government is " squeezing out in a particular case Rs 5 from each of 2 coolies for re-employment" The two coolies in question are Doddabomma and Chikkabomma The genesis of this allegation is rather interesting As far as the records go the only evidence before the Ag President against Mr Munisiddappa was comprised of

(1) the mahazar drawn up by Overseer Seshappa on 28-5-1929
(2) do on 1-6-1929
(3) the statement of Maistri Kempia recorded by the Ag President on 20-6-1929 and nothing more

18 Though a large list of allegations was made against Mr Munisiddappa in the mahazar dated 28-5-1929 referred to above and even though Doddabomma and Chikkabomma were examined in that connection and their signatures taken there was no reference at all on that occasion to the alleged " squeezing out of Rs 5 " from each of these two- Nor is there any reference to this allegation in the report of Overseer Seshappa dated 4-6-1929 to the Ag President after his enquiry against Mr Munisiddappa This allegation found its way into the records for the first time on 20-6-1929 in the second statement of Maistri Kempia (Maistri Kempia attempted to secure reinstatement three times by making 3 statements on the same subject and succeeded in the third attempt as the Ag President was satisfied with the third statement) The record of this allegation of squeezing out Rs 5 appears as follows in that statement

" 3 Doddabomma and Chikkabomma <u>are said to have</u> each paid Rs 5 at the time of re-employment But I did not collect the money "

19 Both Doddabomma and Chikkabomma were examined in the retrial Doddabomma stated " In my statement I have given this information regarding the recovery of Rs 5 x x x I have given only one statement and have signed only once " This one statement of 28-5-1929 gives the lie to this version of Doddabomma as there is no such allegation in that statement His brother Chikkabomma stated " My statement was recorded once by Mr Seshappa Overseer and again by the Chikka Sahib (Engineer) in person I did not mention to Mr Seshappa anything about the fire but told it to the Chikka Saheb When I gave the statement to Mr Seshappa I had forgotten the imposition of fine " Chikkabomma's statement was not recorded by the Chikka Saheb as far as the records and enquiries go The allegation of squezing out Rs 5 from each of 2 coolies stands as if introduced into the records on the 14th June 1929 about a week in anticipation of the only recorded evidence on the subject on 20-6-1929 and even that a mere hearsay evidence of Maistri Kempia who was admittedly struggling for reinstatement by repeated attempts to make statements which would satisfy the Ag President Duffedar Marichanna has stated that he recommended and got these coolies Doddabomma and Chikkabomma reinstated and that no money was paid for reinstatement What finally sets the seal of untruth on this belated allegation which anticipates evidence is the admission of Chikkabomma that he was reinstated by Overseer Vajravelu Modaliyar after Mr Munisiddappa went on lave This shows clearly that there was no occasion to pay anything to Mr Munisiddappa, Chikkabomma stated in examination as follows - " I had lost my employment in the Farm Mr Munisiddappa removed me from service since I stole lucerne I rejoined duty during Mr Vajravelu Modaliar's time" Overseer Mr Vajravelu Modaliar has stated " Chikkabomma was reinstated in April i e ,after Mr Munisiddappa went on leave He was taken during my time " There can be no doubt that the allegation about Mr Munisiddappa's " squeezing out Rs 5"

from Chikkabomma for reinstatement is a ~~connected~~ concocted myth inspite of the Ag President's assurance " I personally made enquiries and all the above facts were corroborated '

Another allegation made against Mr Munisiddappa is unlawfully levying x x x Rs 3 for each change of khate " The evidence on which this allegation was based is (i) the passage in the mahazar of 28-5-1929 running thus -

6 x x x "కాంట్రాక్టర్ గారు గుంత లుపద కు 3-0-0 రూపాయలు, మూజీం కు 1-0-0 రూపాయలు చొప్పున 4-0-0 రూ గళన్ను వసూలు చేసుకోండి కాంట్రాక్టర్ గారు నిషేధం వ్రాసినట్లయితే వసూలు చేయకూడదు కాని ఇవ్వలేదు"

(ii) the passage in the mahazar of 1-6-1929 running thus - "వచ్చే వచ్చే కాపు గళన్ను నాను ఇవ్వరాదనీ వారు ఇవ్వక పోలదల్లి కాంట్రాక్టరు వసూలు చేసుకోండవరాదని పురికాకిగారు లు ఆ మేరకు వ్రాసి యుండ 3-0-0 రూ వంతీయూ వాళ్ళు కొల్పవనింద పున ఈ వసూలు ఆక్షేర 1-0-0 రూన్ను తీసుకోండిరువుదల్లదే వసూలు చేయబలగన్ను నీ తప్పదీ వ్యవహారవు ఇదక్కంటే వగ్గాక్టర్ గారిగారిన్ను కుంజా రువు తప్పు విల్లనోసు దీరంను శ్రీద్ధ వహించి నాను గళు ఇవ్వలేదు"

21 Though the fullest opportunities were given to the present Manager of the Farm who first investigated the case in respect of fixing the number and selection of witnesses after taking the instructions of his Officer the Engineer

who as Ag President reported to Government on the case, no evidence has been adduced before us to show that even in a single instance Mr Munisiddappa recovered Rs 3 on transfer of khate from any one either voluntarily or by compulsion Mr Munisiddappa's explanation regarding this allegation is as follows -

" As per practice in the betel-vine gardens a sum of Rs 3 was being subscribed as (ಅಂಬಲಿ ಕಾಣಿ) by the lessees at the time of change of khate and this sum was formerly paid to Marichenna, Mali who was in charge of the betel-vine gardens When complaints were received that Marichenna was misappropriating that amount the lessees as per my suggestion chose B L Maridanda, one of the lessees and thenceforward this amount is deposited with him and is used according to their customs and I have nothing to do with it Caste yajaman patel Maridanda has stated " The payment of money at the time of transfer of patta was a custom of our caste x x The practice of paying this subscription on transfer of patta is customary amongst us in respect of the gardens outside the Sewage Farm also "

B L Maridanda has stated " The amount paid by the transferee on transfer of patta was not being credited to the Pooja fund We were keeping it with ourselves."

We therefore find that the amount of Rs 3 recovered from the transferee was in accordance with the caste usage for a caste dinner fund as clearly indicated in the prosecution mahazar and there is no evidence to connect Mr Munisiddappa with the utilisation of this fund His connection in any thing extends only to the permission of this caste usage being observed as between the lessees in the Farm

The following allegations contained in the mahazars and evidence are admitted by Mr Munisiddappa in his statement

(1) That a sum of Re 1 per plot was being recovered for the pooja fund from each lessee once for all i e the time of allotment of the betel-vine plots

(2) That a sum of 4 annas was being subscribed by each cooli towards the pooja fund every month

(3) That out of the pooja fund loans tenable for one month were being issued to the coolies at 1R annas per rupee per month

The only point for consideration in respect of these allegations is how far Mr Munisiddappa is to blame for this This will now be discussed at length in connection with the pooja fund

Pooja fund

It would be extremely unfair to form a mere superficial and sweeping judgment of the pooja fund as an irregular institution which MrMunisiddappa was not justified in developing It would be the easiest thing to cry him down saying here is a public servant raising subscriptions from lessees and subordinates and lending them at high interest to them. It may be technically an irregularity but if only one considers the matter a little broadly in the light of the conditions under which and the men through whom he had to develop the Farm one cannot fail to be convinced of his sincerity of purposes and the successful working of the Farm due thereby When the President was considering the question of transferring Mr Munisiddappa to the Garden Department soon after assuming his Office in this Council there was a very touching petition signed by five hundred lessees and others setting forth the services rendered by Mr Munisiddappa to the Farm and the conditions under which he had to struggle Having satisfied himself about the truth of the petition he gave up the idea That petition of 500 signatories was presented in June 1928 certainly long before his present misfortune could have been anticipated and that petition cannot have been intended to defend him in

this case It deserves a very careful perusal It is marked Exh D I shall quote only one small passage in extenso here from that petition

ಇವರು ೧೯-೧೦ ನೇ ಇಸವಿಗಿಂತಲೂ ಮುಂಚಿನಿಂದಲೂ ಸಹ ಕೆಲವು ಜನರು ಕೆಲವು ಕಾಲದಿಂದ ಇಲ್ಲಿ ಬೇಸಾಯ ಮಾಡಿಕೊಂಡು ಬರುತ್ತಿದ್ದಾರೆ ಎಂದು ಹೇಳಿಕೊಂಡು ಬರುತ್ತಿದ್ದಾರೆ ಇವರು ಮೊದಲು ಬೇಸಾಯ ಮಾಡಿಕೊಂಡು ಬಂದಿದ್ದ ಜಾಗವನ್ನು ಬಿಟ್ಟು ಕೊಡಲು ಇಷ್ಟವಿಲ್ಲದೆ ಇರುವುದರಿಂದ ಇವರು ಹೊಸದಾಗಿ ಬೇಸಾಯ ಮಾಡಲು ಕೊಟ್ಟಿರುವ ಜಾಗವನ್ನು ಬೇಡವೆಂದು ಹೇಳಿ ಬಿಡುತ್ತಿದ್ದಾರೆ

thus ...

-7 The circumstances under which he was placed/such that he had to arrange for Shanti pooja and also to acquire popularity and influence among the Adikarnatakas of Dodda holageri in order to develop the Farm as no other community would care to take up the betel-vine plots or to cultivate lands with sewage water All the measures taken by him in respect of the celebration of the pooja and the building of the pooja fund ~~and~~ had this aim in view The practices of recovering a small fee of Re 1-4-0 for the pooja at the time of allottment of betelvine plots, and of 4 annas from every Farm coolie per month was known to every subscriber to be a bonafide subscription to the pooja fund maintained for the benefit of the subscribers Not one of the hundreds of subscribers of these many years has complained about it and even now there is no complaint about it Mr Munisiddappa has maintained accounts carefully from time he became manager of the Farm and not a single item has been elicited in evidence which is not to be found in the accounts. ~~I am~~ we are satisfied from a perusal of the account book that it is a genuine record of transactions as they took place

It may be urged that since the pooja fund belonged to the subscribers, the rate of interest charged namely 1½ annas per rupee was usurious It has to be remembered that not a single witness complains of the high rate of

interest is lower than what they would have to pay elsewhere ⊕ ⊕ Besides in fact loans were only for
As a matter of fact every one of the witnesses feels thankful in various ways
for this arrangement for lending them money when in need
This is amply proved by the very fact that admittedly
the loans were popular and even now out of Rs 228-14-10
at the credit of the Pooja fund as much as Rs 162-0-0 x
remains outstanding from borrowers No money-lender
would care to lend them at all and Mr Munisiddappa deserves
to be congratulated on the excellent system devised to
provide loans for short terms but at high rates of interest
This would on the one hand reduce the tendency to borrow
but provide a source of borrowing for a man really in
need. His accounts show credits for the interest realised
His pooja fund deserves to be developed into a Sewage Farm
Co-operative Society with the nucleus that has been formed
by Mr Munisiddappa supplemented by a deposit free of interest
from Municipal funds, as an institution corresponding to the
pooja fund is absolutely necessary for the well-being of the
lessees and Farm coolies

Mr Munisiddappa's contention that the development of the pooja fund and the issue of loans therefrom was meant for the welfare of the Farm lessees and coolies is amply borne out by the prosecution witnesses Their statements on this point are extracted below -

Kulla who is the mainstay of the prosecution stated -

"Out of thepooja fund there used to be dinners consisting of payasa etc Ever since I joined the Farm this has been a custom There would be large crowds of people at the dinner Bailu Nataka was performed once and there used to be Bhajanas and Harikathas also We also used to take loans out of the pooja fund Not more than a month's pay used to be lent to us As it was much easier to get loans here we were paying interest at the rate of 1½ annas in the rupee We have no complaints regarding these transactions x x x This collection of pooja fund has

been a custom from the very beginning The dinner was sumptuously served The Pooja was being done for the welfare of all of us and for the purpose of warding off the evil spirits and propitiating God x x x We were all gladly taking part in the pooja arrangements "

Chikkabomma - " Pooja used to be performed once a year There used to be dinners with payasa etc Bands an Volagas used to play on the occasion x x The expenses of the pooja would be met out of the monthl; contributions made by the Farm-men Mr Munisiddapp used to give us loans whenever we were in need of th out of the pooja fund This has been the practice for several years Many of us were taking loans It was a convenient arrangement for us x x x We were gladly participating in the pooja fx arrange ment "

Mahalinga - " all employees of the Farm were paying four annas a month just like me Every year pooja used to be performed The 4 annas which we were paying every month was a contribution to the pooja fund On the pooja day all who came to the Farm were being fed Bands would be engaged fo the pooja "

Dufedar Marichenna - " In the beginning men were afraid of going to the Farm and taking up work there for fear of evil spirits The whole farm was un- attractive and horror striking x x x x ~~The~~ The servants of the Farm were paying 4 annas a month towards Shantipooja We have been payirg this sum voluntarily. Even the clerks of the Farm were contributing towards this fund The Manager of the Farm was also contributing to the fund x x We have no complaint at all in this matter "

Doddabomma - " I have been working in the Farm for the last five or six years x x One rupee was recovered from my first pay Thereafter every month 4 annas for the pooja fund was being recovered from me out of my pay x x x Pooja was being celebrated once a year About 500 to 600 people used to be present at the pooja for dinner x x We were taking loans as it was difficult to get them elsewhere "

There is ample evidence to show that the Shanti pooja was being celebrated for the welfare and popularity of the Farm and its lessees and workmen None of the subscribers has any complaint about it till now

Farm grass and grazing

The only other allegation remaining out of those reported o Government is the one relating to the surreptitious use of Farm-grass by Mr Munisiddappa for the cattle of his father-in-law's dairy farm they being grazed in the Farm by the Farm-coolies, and the sale of milk through some Farm-coolies It would be a typical case of a 'rash presumption' in law to say that because there were cattle in Mr Munisiddappa's house and grass in the Farm, the probabilities are that the grass must have been used for the cattle It would be very unsafe to count on any such probability It is entirely a question of evidence whether grass was being used for these cattle and whether his cattle were being grazed in the Farm pasture with his knowledge or connivance

In narrating the history of the case it has already been stated that the important officials of the farm who are witnesses namely Laistri Kempia and clerk Anantaramia had been dismissed for not giving incriminating evidence against Mr Munisiddappa The dismissal of these two officials was high-handed The first complaint or statement on record from any one in relation to the Sewage Farm was

on the 28th May 1929 and yet seven days previous to any complaint i e , on 21-5-1929 these two poor officials were dismissed

33 ~~It is thoroughly unjust to go on~~ The utter impulse of dismissing officials of long standing without any evidence, explanation or enquiry, as we said these 2 officials were dismissed seven days before complaint in patent The ground of dismissal as stated in the order runs as follow

" As clerk M N Anantaramiah and Maistri Kempia of the Sewage Farm are learnt to have taken to illicit practices in the Farm it is hereby ordered that their services be dispensed with from to-day "

34 The learned Ag President has made no record of his learning and has refused to state when asked by the permanent President as to the source of his learning and has also refused to appear before the Committee when they wished to clear some of these points from him ~~The~~ The information from an undivulged source has cost two long standing officials their appointments The further misfortunes of these 2 officials are equally interesting. They practically purchased their reinstatement by ~~prejuring~~ perjuring to the tune set for them The following passages from Maistri Kempia's statement before the committee explains this -

" Some time ago I went on leave for 5 or 6 days Before I returned from leave my services had been dispensed with When I went to the Engineer to enquire what the matter was, I was asked to give a statement of what I knew regarding the irregularities in the Farm I wrote a statement and presented to him That statement is the one dated 29-5-1929 now marked Exh A I have given three statements altogether of which this is the first I was no restored to my appointment I again approached the Officer and asked for the mercy The Engineer Saheb told me that

I had given an incOrrect statement and that if I gave a correct statement I would be reinstated The Engineer Saheb himself took my statement Exh B is my second statement recorded by the Engineer, Again I was not restored x x x Again I requested the Engineer to reinstate me in the Farm Hetold me that I had not given a full and true statement of what was going on in the Farm I agreed to make another statement and ask for reinstatement Then I gave the third statement Exh C, is my third statement Thereafter I was reinstated x x x x x " The alleged illicit practices for which he was punished appear to have lost all significance once he furnished the required incriminating evidence

35 Clerk Anantaramia's fate was more or less the same He stated as follows -

" I gave only one statement after my suspension and before my reinstatement I offered to make a statement and asked for reinstatement Before I was asked about the matter, I knew nothing as to why my services were dispensed with When my services were dispensed with I approached the President and told him about the hardship caused to me by the dismissal The President told me that if I gave a statement regarding the irregularities in the Farm he would consider the question of my reinstatement Thereafter I gave my statement He told me that looting was going on in the Farm and asked me to give a statement of what I knew about it He said he would consider the question of reinstating me after I gave my statement I th gave my statement about the alle ~~coty~~ hng I then went to the Farm and made enquiries I had no personal knowledge of any irregularities in the Farm till then Kulla is my only source of information regarding the alleged irregularities "

36 These statements prove beyond doubt that the Ag President had his conclusion ready before taking evidence and punished the officials till they furnished evidence to

suit his judgment-before-evidence. Another reckless and unfair punishment of a witness for giving evidence not suited to the opinion of the Municipal Engineer is furnished by the case of Dufedar Marichenna This Marichenna duffedar gave evidence before the committee of Municipal Councillors presided over by the President The very next day the Municipal Engineer without reference to the President removed Marichenna from the Farm for not stating in the manner expected by the Engineer Marichenna's petition shows the circumstances under which he was removed Overseer Seshappa stated that Marichenna was removed from the Farm without a writen order for reasons not known to him. The Municipal Engineer refused to explain the matter when asked about it by the President

There is considerable force in Mr. Munisiddappa's contention that not only was evidence procured by the Engineer by intimidating witnesses but his enemies who had been dismissed by him were restored to their appointments in the Farm and their ill-feeling towards him has influenced the evidence against him

3 P Circumstances showing ill-feelings to Mr Munisiddappa and general character of the witnesses -

Witness		Particulars
Kulla		Fined by Mr Munisiddappa and his cattle impounded repeatedly
Doddalinga & Brothers	1 Doddalinga.	-Repeatedly fined Dismissed by Mr Munisiddappa for repeated absence from duty Reappointed after Mr Munisiddappa was removed
	2 Chikkalinga	-Pay withheld for absence Once dismissed by Mr Munisiddappa
	3 Molle	-Junior undivided brother 1 and 2 He has recently been dismissed by the President for admitted theft of vegetables
Doddabomma & brothers	1 Doddabomma	-Repeatedly fined and dismissed by Mr Munisiddappa for theft of lucerne
	2 Chikkabomma	-Dismissed from service by Mr Munisiddappa for theft of lucerne
Mahalinga		-Pay withheld by Mr Munisiddappa for absence from duty

The remaining witnesses have deposed from personal knowledge ~~not~~ implicating Mr Munisiddappa ~~in respect of the grazing~~

39 Kulla is the mainstay of the prosecution evidence He was a man punished by Mr Munisiddappa He was restored to an important appointment of salesman and watchman after Mr Munisiddappa left the Farm He was the first and chief informant and witness in the case The learned defence Counsel pointed out that Kulla was bringing the witnesses on every hearing date to the Office including the date on which Kulla was not required as a witness Mr Munisiddappa had fined Kulla for allowing cattle to graze in the Farm Kulla had to pay fines and then release his cattle As irony would have it, this man is the chief accuser against Mr Munisiddappa alleging that Mr Munisiddappa got his cattle grazed in the Farm Maistri Venkataswami had been dismissed by the Gardens Department on the complaint of Mr Munisiddappa This man was reappointed by the Municipal Engineer and some of the witnesses are working under him

40 In view of these important discreditable features the evidence of the Farm-coolies has to be viewed with considerable caution and suspicion So far as the grazing of the cattle is concerned some of the witnesses have stated that the cattle alleged to belong to Mr Munisiddappa were being grazed for hire by ~~xxxxxx~~ cowherds paid by Mr Munisiddappa

41 Kulla stated - " My son grazes the cattle of others for hire x x x My son was grazing Mr Munisiddappa's cattle also for hire My son was grazing these cattle not in the Sewage Farm but outside This was about 2 or 3 years ago for 5 or 6 months "

42 Kulla also stated - " Bomma of our place also used to graze Mr Munisiddappa's cattle Bomma was in the Farm over 2 years ago Bomma was being paid by Mr Munisiddappa after he left service in the Sewage Farm Witness Doddabomma has stated —

43 " Bomma is my younger brother x x x While Bomma was working in his house he was being paid from Mr Munisiddappa's

private funds x x When he was in his house he was grazing his cattle also "

44 Witness Chikkabomma has stated -

" Bomma is my younger brother xx Mr Munisiddappa was paying Bomma from his own pocket He does not work in his house now "

45 The evidence of three witnesses who are by no means well-disposed towards him shows that the cowherd in charge of the cattle was being paid by Mr Munisiddappa from his own pocket ~~In that being so the cowherd is responsible and not Mr Munisiddappa if the cattle grazed in the farm~~ Most of the witnesses that have deposed regarding the grazing of the cattle are persons who have been dismissed by Mr Munisiddappa Not even these witnesses have stated that Mr Munisiddappa wanted the cattle to be grazed in the Farm or was aware of or connived at it That being so, I find no evidence in respect of grazing for which Mr Munisiddappa can be held to blame

Perhaps a more serious allegation is that of maintaining a dairy farm in the name of his brother-in-law with the grass cut in the Farm to the extent of 250 lbs a day How the learned Ag President arrived at the accurate weight of the stolen grass per day is an enigma as it is unbelievable that grass would be weighed for stealing and every witness states that grass was not being weighed before being taken to the dairy farms All the witnesses however state that what was being taken was not Rhodes grass grown in the Farm for sale but the weed-grass plucked out and thrown away for which there was little demand I tabulate below the statement of the witnesses on this point

Mahalinga - " Some portion of the weeds removed from the vegetable plots used to be given to the farm cattle for feeding and some portion used to be taken to Mr Munisiddappa's house

There was no demand for that grass was not the practice to sell that "

Doddalinga - The grass that was being taken to his house was weeds "

Doddabomma -" The grass that was being taken to his house was the grass growing in the road and bunds between the vegetable plots "

Chikkabomma -" The grass that was being taken to Mr Munisiddappa's house was waste-grass growing in the roads and paths in the Sewage Farm "

Kulla - " Rhodes grass (seemey hullu) was not being taken to Mr Munisiddappa's house but only waste grass i e , only the grass growing on road side bunds etc , "

47 In the statement of Kulla dated 28-5-1929 he stated that he merely saw grass being taken but in the enquiry he stated that he was constantly taking grass himself to Mr Munisiddappa's house It would be very unsafe to attach any value to such evidence This Kulla is the central figure in the prosecution evidence

91 would be highly unsafe to depend upon the evidence of these witnesses who bear ill-feeling towards Mr Munisiddappa ~~would~~ & even if fully believed in this respect, the evidence only shows that some weed-grass for which there was little demand was being taken to Mr Munisiddappa's house for the cattle In view of the fact that the grass said to have been taken was admitted on all hands to be the weed-grass which has to be got rid of and for which there was no demand the matter is too trifling to call for anything more than a verbal admonition even if it were true

The evidence shows that the dairy farm A is that of his father-in-law who also owns a dairy farm at Bangalore It is natural and probable that Mr Munisiddappa might have been

generally assisting his father-in-law in the conduct of the business of the dairy farm Mr Munisiddappa may be directed to dissociate himself altogether from the dairy farm of his father-in-law to keep himself above suspicion of utilising his subordinates for any work connected with the dairy-farm

IV 50 Another allegation which arose against Mr Munisiddappa after Government ordered further enquiry into the above allegations was that the fodder-charges of the Sewage Farm cattle pound were not being credited to Municipal funds The practice in all cattle pounds is for the pound keeper to supply grass and water and recoup himself by claiming on a bill for fodder-charges According to this the fodder charges should have been claimed and the amount recovered on the claim credited to the Sewage Farm

51 Mr Mahomed Peer Chief Officer of the Municipality recorded the following instructions in the register

" Exd The collections should not be included in the other realizations of the Farm The fees etc, collected should be separately remitted every week and certificate obtained in the Register The cattle pound procedure should be followed in all respects "

In respect of an amount of Rs 3-1-3 overdrawn on 5-1-1925 Mr Munisiddappa explained in March 1927 " The amount in question was duly distributed in the usual course amongst the staff who were employed for (1) impounding cattle, (2) providing water and fodder to the cattle, (3) maintaing pound register etc , as per mamool, thinking that no double drawal is made- as no separate establishment is sanctioned for this pound unlike other cattle pounds " Herein he has clearly stated the practice prevailing since prior to 1925 The amount of fodder charges recovered on bills during the last ten years amounts in all to Rs. 122-2-9 which works out to an average of Rs 12 per annum, or Re 1/ per mensem Even in the view that the fodder-charges should have been credited to the Farm there are certain clear indications that Mr Munisidda-

ppa

could not have had any dishonest intention in respect of them

(1) The amount concerned barely works out to an average of Re 1 per month and is too trifling by itself to attempt a long standing official in the grade of Rs 85-5-100

(2) In 1927 he has openly explained in writing through official superior in reply to an audit objection that the practice in the Sewage Farm has been to distribute the small amount of fodder charges among the officials and menials in charge of the pound as they were given no remuneration for the purpose The explanation to the audit objection was submitted by Mr Munisiddappa in 1927 through his official superior the Curator who has passed it on to the President as shown by his endorsement thereon He would not have put forward that justification so boldly and openly for examination by the Auditor nor would the Curator have passed it on without objection if it were not true

53 When he submitted that explanation in 1927 through the Curator and the then President passed it on to the Auditor as endorsed by him thereon when neither the Curator nor the President nor the Auditor considered the practice objectionable and when he(Mr Munisiddappa) was not informed that his procedure was objectionable, he as a subordinate has to be absolved from (2) all blame for continuance of the practice It would be extremely unfair to now hold up Mr Munisiddappa to blame on the ground that we differ from the then Curator, the then President or the then Auditor

54 The further fact that from 1927 the fodder-charges were credited to the pooja fund and fully accounted for in the pooja fund accounts is evidence that he had no intention to appropriate it for himself The point to be considered is not whether the method of disposal of the amount was right (1) according to our present view but whether there was any dishonesty or improper motive If there was no improper motive it is merely a case for changing the procedure and not for punishment

Or

The only other allegation raised by the Municipal Engineer when this enquiry was almost closing was that certain amounts had been irregularly disposed of All the amounts have been fully accounted for in the explanation of Mr Munisiddappa dated 19-12-1929 These are amounts deposited with him by applicants for plots and are adjusted on allotment of plots within a month or two The allegation of Kurisidda and Ramanasidda that they were not aware of money being paid to the pooja fund cannot be believed It is only a false pretence necessary to get back the amount credited to the pooja fund in their names as the lands allotted to them have been resumed

There is no sufficient reliable evidence in support of the allegation that Farm-servants were employed to carry milk to the customers It is impossible that Adikarnatakas of Doddaholageri who are mostly the Farm-coolies would have carried milk to supply high-caste customers

P Witness Chikkalinga stated -

" Varakode Nanja was a private servant of Mr Munisiddappa on a pay of Rs 10/- per mensem He was milking the cows once a day and carrying it to the customers once a day " This witness appears to have been tutored to say that he was also carrying milk He completely broke down on this point in cross examination He stated that he used to bring money from 8 or 9 persons whose names he did not know He laughed and blinked when he was asked how he could deliver the moneys without mentioning them as recovered from the particular customers He also could not state whether one customer Nagesa Rao to whom he said he was taking milk was fifteen years old, or fifty years old

On a careful perusal of the procedure adopted in the case ~~there is considerable room to suspect~~ that this is an instance of persecution of a subordinate Officer to gratify the prejudice of a superior Officer against him The Engineer's peon

Javara invited complaints and brought them to his master who in his turn invited a once dismissed coolie Kulla to his bungalow and took him into confidence Evidence of responsible officials of the Farm namely Maistri Kempia and clerk Anantaramia was extorted from them as the price for reinstating them to their appointments from which they were removed in the most arbitrary and tyrannical manner ~~characteristic of an uncivilised age.~~ These helpless officials were removed from service without enquiry, evidence or explanation and were told to depose to irregularities in the Farm and also that their reinstatement depended upon their statement The statement of Kulla was circulated among the c-oolies and their support was canvassed for Thus a large number of signatures was obtained during the space of two days to a ready-made version instead of recording (c) the statement of each coolie On the basis of the invited complaint, the circulated statement and the coerced evidence which were quite safe from contradiction by being taken behind the back of the accused, a case was made out before the Managing Committee, the Council and the Government without letting any of these go through the papers but backed (d) up instead with the weight of the ~~Engineer,~~ Acting President's assurance ~~a~~ " I personally made enquiries and all the aoove facts were corroborated" - ~~Assurance which had no more basis on record than the partisan hearsay statement of Kempia, recorded on 20.4.1929.~~ The Council's resolution of neutrality in the matter of the President's disciplinary (e) action against Mr Munisiddappa was manipulated to one of infliction of an unspecified punishment Not being satisfied with his own proposal to reduce Mr Munisiddappa to Rs 75/- the feeling against Mr Munisiddappa led him to investigate, the prospects of a prosecution ~~jealousy was lurking in the~~ (f) ~~mind~~ of the Officer against the papers or his verdict being scrutinised The papers were not only not circulated to the Managing Committee of the Council nor sent up to Government in

There was an inexplicable distinction on the part

[illegible] in such an important matter as the reduction of an official on Rs 100/- per month, but when the papers were demanded for perusal by a Committee of experienced lawyers they were informed that the papers were irrelevant to them When Mr Lunisiddappa the accused asked for copies of evidence taken behind his back and on which he was punished, copies were refused to him and he was told there was nothing useful to him in the records This piece of conduct would be too unjust even towards a convicted murderer Between the plea of irrelevancy of the records advanced against the committee of lawyers and the plea of uselessness of the copies advanced against the accused and the continued suppression of the Public Prosecutor's opinion of 7-7-1929 for over two months, the evidence taken behind the back of the accused was secured a state of continued immunity from scrutiny As though the refusal of copies of evidence taken behind the back of the accused was not iniquitous enough, he was openly threatened against appealing to the Council- a more objectionable course than which it is difficult to contemplate The removal of Larichenna from the Farm because his deposition before the President and Committee was not suited to the Engineer's verdict betrays the anxiety of the officer to keep up the intimidation of witnesses even up to this last stage It is unnecessary to point out the awkwardness of trying to evade answers to the Committee by pleading personal inconvenience for a particular date and when offered the option of answering a questionnaire to unconditionally refuse to do so About the unfair and irregular precedure of this officer further comment seems to us to be needless

As discussed in this report in detail, poor Mr Lunisiddappa has been the victim of an unscrupolous persecution at the hands of his superior officer on allegations imaginary exaggerated or exploded in cross-examination He has been out employment for over nine months and subjected to the most [illegible] mental torture and loss of reputation in being on the point

of being prosecuted It was Mr Munisiddappa that developed the Farm practically from ~~nothing~~ a waste land to its present smiling and prosperous state and having reaped all the benefits of the special measures like the pooja fund which is admitted even by Kulla to have benefitted the lessees and Farm coolies and about which neither Kulla nor any other had any complaint and of which Mr Munisiddappa has kept a regular book of account, it would be nothing short of ingratitute to now say that the pooja fund constitutes an offence. It is one of the most fundamental principles of the law of crime that every man should be presumed to be honest till the contrary is proved It would be nothing more than a betrayal of our own evil nature if we should say that though it is not proved that any money remain unaccounted for, yet matters are suspicious

In these circumstances we are of opinion that even this protracted enquiry has failed to show even a whittle of dishonest on the part of Mr Munisiddappa or any irregularity which calls for notice We recommend that he be restored to his appointment on his former pay of Rs 100/- and that he be paid also full pay during the period of his enforced absence from duty during the last nine months, i.e from 29 6 29 a thousand

Udamalpet
H.G Desai
K Shamakrishna
Ishwaran

. KRISHNA RAO BA BL.
ADVOCATE

MYSORE
Dated 1-4— 1930

Rec'd
Ref 1/4/30

F No B 69A
1 4 1930

Dear Sir

I have herein enclosed my report in Sri Mumsiddappas Case please acknowledge the receipt of the same

Yours truly
A Krishna Rao

(1) When Mr Munisiddappa was punished by the Government for ertain irregularities alleged to have been committed by him as Manager of the Sewage Farm, he petitioned the Governrent by way of appeal pointing out that he had not been afforded an oppurtunity to cross-examine the witnesses and that the whole enquiry was conducted behind his back and that this procedure was against the standing orders of Government and hence quite irregular The Government in forwarding the said petition to the Municipal Council observe in their letter that a regular enquiry be held in the matter giving an opportunity to him to adduce any further evidence and hold a further enquiry that may be called for and submit a detailed report in the matter The Council in pursuance of the above letter appointed the Committee by a resolution passed at its meeting held on 28-9-1929

(2) When the present committee met for the first time, it resolved to confine itself to the four charges originally framed by the Acting President and take evidence with respect to those charges giving an opportunity to the official concerned to cross-examine the witnesses Mr Seshappa who was then in charge of the Farm and who had conducted the previous enquiry under the orders of the Acting President was called upon to produce all the witnesses and other evidence in support of these charges Mr Seshappa had more than 50 witnesses to examine The committee though that it would take a long time to examine all the witresses and suggested him to select from among the witnesses 4 or 5 witnesses to substantiate each head of charge

Accordingly the committee examined 13 witnesses out of a number originally examined by Mr Seshappa who was also examined on some points The official accused of the irregularities, filed a written state -ment and produced some documents but examined no witnesses

2(3) While the enquiry was thus proceeding, the President stated that two more charges against the same official have been referred to the committee ~~by~~ for enquiry by the Managing Committee and the present committee might hear them also and submit its report to the Council on these fresh charges

(4) I now proceed to consider the four charges framed in the first instance by the Acting President and how far they are substantiatd

The four charges that were originally framed by the Acting President are as follows -

" (a) He has been unlawfully levying every month Rs 1 to 2 per plot on each lessee and Rs 3 for each change of khata in the case of similar areas

(b) He has been receiving every month from each cooly four annas after payment of rupee one on appointment He has in a particular case squeezed out Rs 5 from each of two coolies for re-employment

(c) He has been maintaining a Dairy Farm in the name of his brother-in-law with the grass cut in the Farm to the extent of 250 lbs a day, and by letting about a dozen cattle to graze every afternoon in the Farm

(d) With the money thus realised he has been lending sums to Farm men at an enormous rate of interest viz 1½ anna per rupee per month "

(5) The first charge consists of two portions viz (1) that he has been unlawfully levying every month Rs 1 or 2 per plot on each lessee and (2) Rs 3 for each change of khata in the case of similar areas

As regards the latter portion of the charge viz about collecting Rs 3 on each transfer of khata

the official denies collecting it, but says that the khatadars pay Rs 3 on each change of khata as is customary in the neighbourhood and these amounts are kept by the Yajamans of the community who utilise it for giving caste dinners The evidence adduced does not show that these monies were being received by the official, but on the other hand establishes that the sums were being kept by any one of the lessees and utilised for the purpose of giving caste dinner I am of opinion that this charge is not made out

With regard to the first portion of the charge viz that he has been unlawfully levying every month Rs 1 or 2 per plot on each lessee, it seems to me that this is inaccurately expressed Each lessee of a plot is not asked to pay Rs 1 or 2 every month, but the evidence establishes that from each lessee of a new plot a sum ranging from eight annas up to two rupees was being taken only once This is not denied by the official, but it is admitted by him in the first statementthat he gave to the Acting President and also in the written statement filed by him before the committee

(6) The second charge consists of two portions viz.(1) that he has been receiving every month four annas from each cooly after payment of rupee one on appointment and (2) that in a particular case he squeezed out Rs 5 from each of two coolies for re-employment With regard to the latter portion of the charge there is the evidence of Chikka Bomma and Dodda Bomma who are the two coolies who are said to have paid Rs 5 each for re-employment and there is the statement of Maistry Kempiah made before the Acting President wherein he mentions this fact But Maistry

Kempiah in that statement does not say that he saw them giving money but he only says that these two people are said to have paid Rs 5 each for re-employment That statement can only be hearsay and no reliance can be placed upon it The official denies it and there is some evidence to show that one of the two dismissad coolies was not re-employed by the official at all but by Mr.Vajravelu Modaliyar while he was acting as Farm Manager when Mr Munisiddappa had taken leave In the absence of any corroborative evidence on the point, it is unsafe to hold the charge proved on the bare statements of the two coolies I am of opinion therefore, that the latter part of the second charge is not proved

With regard to the first portion of the second charge viz that four annas was being taken from every cooly every month and that every cooly or Farm servant when newly employed was paying one rupee, this is clearly established by the evidence of the witnesses who have been examined In fact this is not denied by the official but admitted in both the statements given by him to the Acting President and the committee Since the official pleads justification on similar lines with regard to the collection of annas four every month from each farm servant or cooly and one rupee from each cooly when newly entertained and the collection of eight annas to two rupees from each new lessee of the plot taken for betelvine cultivation I will now proceed to consider the justification pleaded by the official

(7) The official pleads as is found in the explanation given by him to the Acting President, that on account of fears entertained by the farm servants and the lessees that they would come to grief since the place was haunted, it was necessary to perform some pooja every year in order to ward off that fear and to

infuse confidence in the people working in the Farm, that with this view shantipooja was being performed every year by collecting subscriptions, that the pooja was initiated by the then President in 1918 or 1919 and a sum of rupees ten was sanctioned from the Municipal funds when it was initiated, that in the succeeding year it was suggested by the President that if such pooja were to be continued every year the staff and the lessees may subscribe and perform the pooja, that in accordance with this suggestion pooja was continued to be performed every year by lumpsum subscriptions of Rs 5 to Rs 10 till 1924, that when it was found to be rather hard for the staff to pay this sum in a lumpsum it was unanimously resolved that a small monthly subscription should be collected and the pooja performed regularly every year and that hence a shanty pooja fund was started Thus the official himself admits that at least from 1924 a sum of four annas every month was taken from every cooly working in the Farm and one rupee from every Cooly at the end of the first month of his appointment and that every lessee was giving from eight annas to two rupees when he took a plot on lease As regards the celebration of the Pooja annually there could be no objection to this But it would be quite improper on the part of any official to collect subscriptions from his subordinates for this purpose because they would not be free agents with regard to the amount of subscriptions which they may be capable and willing to pay The official says that this was done the suggestion of the President Except the mere statement of the official, there is no writing to prove this Moreover the official says that lumpsum subscription from Rs 5 to Rs 10 was being collected for this purpose every year till 1924 Whether this means that the whole of the subscriptions collected ranged from Rs 5 to Rs 10 or whether each individual subscriber subscription paid from Rs 5 to Rs 10 is not clear, but from the next sentence of the

of the explanation of the official one can gather that what he means is that each subscriber was paying from Rs 5 to Rs 10 a year No accounts of these collections and the sums expended are produced It is extremely unlikely that the poor farm collies who get a pay of Rs 10 or 11 a month and the lessees of small plots would have subscribed Rs 5 to Rs 10 each year There is no evidence to substantiate this The offici himself admits that it was rather hard for the staff to pay such sums from Rs 5 to Rs 10 in a lumpsum He says that in order to avoid this hardship, it was unanimously resolved that a small monthly subscription should be collected It is not known who were the persons who resolved like this and no record is produced of any meeting and of any resolution We have to remember that almost all the farm servants are poor, ignorant and illiterate people working under the official who had complete powers to fine, suspend or dismiss them When such a practice was initiated in 1924, the official should have done this with the express permission of his official superiors No such permission has been obtained nor is there anything to show that his official superiors were appraised of this arrargement When a sum of four annas was being taken every month from every cooly working in the farm When his pay was disbursed, there was no choice left to the cooly at all It is stated that this was being paid voluntarily From the very nature of the arrangement initiated in 1924, it cannot be voluntary It is hard to believe that farm servants who were getting a pay of Rs 10 or 11 a month and in some cases less, would voluntarily contribute four annas a month which means three rupees a year When people who are in more affluent circumstances find it hard or show an unwillingness to subscribe a couple of rupees for such annual gatherings, it is incredible that poor,

ignorant and illiterate farm servants would willingly and voluntarily contribute three rupees a year besides paying one rupee at the end of one month after they were appointed, in order to meet the expenses of a day's function Even if it could be said that those who were parties to the above resolution said to have been from passed in 1924 must be deemed to have been contributing voluntarily because they were parties to this resolution, it cannot be said that the farm servants who were employed subsequent to 1924 and from whom also this systematic levy was made and who could not by any stretch of imagintion be considered parties to the above resolution, were paying voluntarily, but must have been doing it in accordance with the system already inaugurated, whether they liked it or not It is also hard to believe that many of the farm servants who were punished by he official on several occasions as stated by him in his written statement and who would thus entertain feelings of discentent and resentment would also continue to subscribe voluntarily It may be asked why should these people submit to this practice meekly without making complaint to the superior officers of the official In judging their conduct we must take into account their intelligence, their status in life and the position that they occupy they are all ignorant, illiterate poor people depending for their livlihood on the small pittance which they were earning as farm coolies and when their superior who has got the power to punish them or dismiss them makes this levy, they would submit meekly rather than complain, knowing fully that such action on their part would bring on them the wrath of the official and the inevitable dismissal from service for alleged mistakes and the consequent unemployment staring them in the face

As regards the levy of eight annas to two rupees on every new lessee who took a plot for betal-vine

cultivation, the official pleads that this was also paid voluntarily to the pooja fund If we examine the procedure adopted by this offical in regard to the grant of new plots for new lessees, we can judge whether the contribution was made voluntarily Whenever a man applied for a new plot or whenever a number of men ~~joined~~ joined together and applied for new plots on lease, the official who had himself not the power to sanction the lease, was taking monies as advance from each of them which were more than what was actually payable as rent to the Municipality and other incidental charges for executing the lease deed The excess so recovered as advance was a rupee or a rupee four annas in every case The official would give the parties a temporary receipt or a note on a slip of paper of the monies so received from the party and that temporary receipt or note would not contain any details If the superior officers sanctioned the lease, then the official would credit the actual amount of rent to the accounts of the Farm and pass a pucca receipt for the actual amount thus credited and also note in the same receipt the expenses for the execution of the new lease deed etc The balance remaining after such a credit (and there would always be a balance in almost every case ranging from one rupee to one rupee four annas) would, according to the official, be taken towards the Pooja Fund Two witnesses viz , Gurusiddaiah and Ramanna Siddaiah have been examined and the former produced exhibits F series and G series given by the official Their evidence and the above exhibits established clearly this practice In fact the official does not deny this but admits this procedure Besides the instances noted above, the Municipal Engineer brought to the notice of the Presidency, [illegible] this enquiry was going on, many such instances have also been referred to [illegible] omit

and report as stated in the beginning the wi nesses who have been examined state that they were not appraised of this Pooja Fund when they paid the money in advance and they were not consulted about their willingness to subscribe to the Pooja Fund If advances are thus taken from persons who wanted small plots without bringing to their notice the Pooja Fund and without consulting their wishes to contribute to this Fund and if, after the lease is sanctioned, they are told that what remains after the deduction of the legitimate sum to be paid as rent etc , is taken towards the Pooja Fund, can it be stated that those new lessees paid their contributions voluntarily? The money is already in the hands of the official and they had no other choice than to submit to the inevitable It may be stated they might have complained, but as already stated with regard to the farm servants, they would be taking a great risk If they should complain, the official could tease them and put them to a lot of difficulties which they would avoid by submitting to this levy and be in the good books of the official The official in his written statement filed before the Committee says " up to the early part of the year 1927, the lessees could not afford to pay the subscriptions as they were incurring registration fees also Since the exemption of the registration fees a part of the savings thus effected were proposed to be paid by them towards subscriptions It was however once and only once that they used to pay the subscription and not monthly" It is stated that it was "proposed by them" we do not know as to who is meant "by them" If it means lessees who were already cultivating, it would not affect them because it could apply only to new lessees could not have been parties to this proposal, because from the very nature of things it was not possible to predict in the early part of 1927 who

would be the new lessees in the latter part of the same year and in subsequent years Therefore it could only mean that the proposal must have emanated from the official himself and nobody else Thus it is clear that the so-called contributions made by the new lessees cannot be voluntary contributions There is no evidence to show that for this practice the offical had the sanction of his superior officers or that they were appraised of the same The official in his written statement filed before the Committee says that this was known to his superior officers and in support of this produces a letter written by him to his superior offic viz ,the Curator (when the Farm was under the manageme of the Gardens Department)with his orders thereon If we read that letter it proves no such thing It is a letter written to the Curator asking his permission to celebrate the Pooja on the Farm and inviting him to be present The charge against the official is not about his conduct in celebrating the Pooja, but in his condu in levying monies from the Farm servants and new lesse systematically In that letter he does not say that t expenses of the Pooja and the dinner would be defrayed out of a Fund collected in the manner stated above If he had stated in that letter to his superior officer, as to how he had collected the money, I doubt very muc whether the superior officer would have kept quite without taking any action in the matter

P T O

8 A point has been raised in the written statement that it is not proved that the official has misappropriated for himself any monies that he may have collected and nobody complains about it I may say this is simply confusing the issues to be determined This Committee does not sit as a criminal cour to determine whether the official has misappropriated any sums of money and whether he is guilty of the offence of criminal misappropriation or criminal breach of trust Nor is this committee sitting to investigate as Police officers whether any offence punishable under the law has been committed by the official The first is the province of the criminal court and the second that of the Police This Committee is, I believe, constituted to enquire into the alleged irregularities constituting a breach of the rules governing the discipline and conduct of officials serving under Government and Public Bodies Moreover the letter of the Government asking the President to make further enquiries refers explicitly to "certain irregularities" and the charges framed by the Ag President also refers to the conduct of the official as "irregularities" and not as "offences" From the very nature of the enquiry devolving on the Committee it is not possible nor was it practicable to determine whether the official had misappropriated any sums of money for himself That is not the charge The official has produced some account books to show as to how much he collected since 1924 and how much he has spent It is not possible to say that all the collections made are entered in that book or that they are not entered If we wanted to find that out, it would have entailed on us the laborious task of ascertaining as to who were all the Farm servants employed in each month since 1924 and to examine each

of them as to how much each has paid since his employment and see whether all such sums have been entered in the accounts And a similar line of enquiry was also necessary with regard to new lessees Then there is the question of expenditure said to have been incurred every year Most of the items are not supported by any vouchers The account books do not, by their mere appearance, show that they have been kept regularly in the course of business Till all this is investigated in detail, it is not possible to say whether the official is ~~guilty~~ guilty of any offence and culpable The official who was collecting the money for the Puja Fund of which, even according to him, he was a trustee should have been very scrupulous in his dealings Such a man should have instituted the system of receipts in counterfoil, and taken the signatures of the persons who subscribed, as is done by persons who collect public subscriptions for various purposes This was especially incumbent on him when he was a public servant collecting subscriptions from his own subordinates etc , But as I have already stated above, I need not pursue the matter, since I consider that it is not the function of this Committee to determine what offence he has committed Moreover, the monies so collected do not belong to Municipal Funds but belong to the so-called subscribers who have lost it if it is not properly accounted for ~~It is not properly accounted for~~ It is for the so-called subscribers to call upon the official to account and take such action as they deem fit But their inaction does not absolve the council from its responsibility in making enquiries about the serious irregularities alleged against the official in the matter of levying unauthorisedly monies from his subordinates If such serious irregularities are n to be taken notice of because there is no complaint by the subscribers, then it will put an end to all

departmental control and discipline and there is nothing to prevent any other official of the Municipality from pursuing the same course with regard to his subordinates as this official has done

9 The next charge is about his "maintaining a Dairy Farm in the name of his brother-in-law with the grass cut in the farm to the extent of 250 lbs a day, and by letting about a dozen cattle to graze every afternoon in the Farm" The official denies this The maintenance of a Dairy Farm by any official does not by itself import anything, if he does so in order to supplement his income As I understand the ~~just~~ gist of the charge, the complaint seems to be that he keeps 10 or 12 cows and they are allowed to graze in the Farm without any fee and that a large quantity of grass was taken daily from the Farm to his house for feeding them The official admits in his written statement filed before the Committee that part of that family (i e the family of his father-in-law) is with me in the same premises with their belongings" He also admits that there are cows in his premises, but says that they belong to his father-in-law who is running a Dairy Farm The father-in-law is a permanent resident of Bangalore From Farm servants depose to the fact that some cows coming from the official's house were grazing daily in the Farm between 12 noon and 3 P M and that a large quantity of grass used to be cut and bundled and taken to the house of the official every day Chikka-Linga, Dodda Linga and Molle who are brothers ~~and who are brothers~~ and who are Farm servants besides deposing to the above facts also say that they were working in his house attending to the cattle and feeding them and taking milk to the house of ~~contractor~~ Customers at the direction of the official They also admit in cross-examination that they used to see the

ficial's father-in-law sometimes in his house Nothing is elicited as to why their evidence should not be believed The official could have rebutted the inferences arising from the above circumstances and the evidence of the above witnesses by examining his father-in-law and any other witnesses Though he had ample opportunities he did not choose to examine his father-in-law but satisfied himself by simply producing a copy of the printed advertisement of a Dairy Farm in the name of his father-in-law But the mere production of such a ~~price~~ piece of paper does not in any way establish the facts contained therein especially seeing that the charge is that he is running a Dairy Farm not in his own name but in the name of others I am of opinion that this charge is proved

10 The next charge is that the official "has been lending sums to Farm men, with the money thus realised at an enaromous rate of interest viz ,1½ annas per rupee per month" The lending of money by the official at the above rate of interest is spoken to by the witnesses examined The official does not deny this but admits that out of the Puja Fund, which according to him was with him and in his custody, he used to lend monies to the Farm servants at the above rate of interest since they used to ~~paid~~ find it difficult to get loans even if they offered higher rates of interest I have already discussed the character of the Pooja Fund Was it right and proper for the official to have money lending business, though of small amounts, with his subordinates who were coolies

ting in the farm ~~fm~~ and especially at the rate of

erest he was charging? According to him the

s that were being lent did not belong to him but

longed collectively to the Farm servants and lessees who had subscribed If any of the servants wan ed

a loan for a short term out this fund why should interest at such an enoromous rate viz Rs 9-6-0 P C per mensem should have been charged, especially when it is stated and admitted that the monies were lent on the express understanding that it should be repaid out of their pay at the beginning of next month If the official was so solicitous and as very much concerned about the welfare of his farm servants, he could have started a co-operative institution to help them The fact that the servants were unable to get loans outside even if they offered higher rates of interest does not justify the official from lending monies to his own subordinates at such exorbitant rates of interest I am of opinion that he conduct of the official was highly irregular and suspicious

This disposes of all the four charges as originally framed by the Ag President There remain two other charges which were referred to this Committee for enquiry and report and I now proceed to deal with them

11 The Municipal Engineer reported to the President in his memo dated 5-12-29 that while searching for some papers in the Sewage Farm Office, clerk Anantharamiah came across with certain receipts granted from time to time by Mr Munisiddappa to various persons and on verifying these receipts with reference to the Farm Accounts he found that the official had received more money from the various parties and had credited less in the accounts and he had kept these amounts with him for a number of months without remitting them to the Municipal Treasury or returning them to the parties The receipts so found were 22 in number In order to understand the true nature of the charge, I give below an extract from the report of the Engineer with reference to two receipts out

of 22

" (a) One Channa has paid Rs 4-4-0 on 31-10-1928 for taking a plot to the hands of the official who has given a temporary receipt On looking to the Farm accounts, it is found that Rs 2-12-0 is credited in the name of Channa as rent for one plat on 4-3-192 On the temporary receipt it is written in red ink on 4-3-29 "Adjusted for ~~land~~ land 628 Returned as 4" Thus 1-4-0 is not accounted for

(1)

(b) One Vastad Siddayya has paid Rs 30/- on 21-10-1928 for taking some plots to the hands of the official who has given a temporary receipt On looking into the Farm accounts, it is found that Rs 12/- has been credited as rent on 6-3-1929 On the temporary receipt it is written on 6-3-29" Adjusted Rs 25-8-0 returned Rs 4-8-0 "Thus 13-8-0 is not accounted for "

(2)

The other 20 receipts show ipt of larger sums than what are credited in the accounts and also the distance of time between the receipts of these sums by the official and the crediting of the amounts in the accounts which generally range from 2 to 4 months In some instances there are no adjustments at all in the accounts and there are endorsements on the receipts stating that the amounts have been returned to the parties and the date of the return is given, which is generally, as stated above, two to four months In one instance there is no adjustment in the accounts nor is there any endorsement to show that the money was returned

On the receipt of this memo from the Municipal Engineer, the President called for the explanation of the official who admits the granting of these temporary receipts to the parties but says that they are not temporary receipts but only taken chits

given to the parties while receiving the money He admits the receipt of the sums mentioned in them on the dates noted on them and also the crediting of lesser amounts in the Farm Accounts on the dates mentioned in the accounts, which as already stated is nearly two to four months after the receipt of the money I have already ~~admitted~~ averted to similar separate instances of this kind in para 7 of the report These relate to 12 instances in which he has received advances in the case of at least 8 persons The official himself has produced along with his written statement a list showing that in case of 15 other persons he had received advances, which were returned to the parties concerned, on various dates If that list is examined it is found that in some of these 15 instances the sums have been returned to the parties while he was on leave and in some others after the orders of Government dismissing him In that last the official does not show the dates when he had received those advances Thus besides the large number of instances about which the Municipal Engineer made a report, we find similar ~~numerous~~ instances of this same practice The explanation offered by the official is that he was using his own discretion in adopting some procedure and some method of record for the in-cohate dealings which might or might not culminate in valid and binding transactions on either side "and "cultivators used to deposit monies with me for further use, appropriation for propitiation of Gods and municipal dues or return, in connection with the incohate dealings' This explanation is hardly convincing I have already dealt in detail in para 7 whether the would-be ~~lessees~~ lesses were aware or used to be apprised as to how these monies would be appropriated later on and whether they know that a portion of this

advance would go towards the Puja Fund There was no rule to say that intending lessees should deposit any sum with their application for plots of land If the lessee after sanction of the plot, refused to take it up, it was no fault of the official and nobody would blame him, if such instances became numerous, he could have reported the matter to his official superior and got a rule passed for taking an advance with the application Infact, the official in the long explanation that he has submitted does not say that there were any such instances This procedure shows his anxiety to get beforehand from each applicant the amount fixed by him towards the Puja Fund, for it may be possible for the lessees refusing to pay to the Pooja Fund the amount which had been prescribed by him as to what each new lessee had to pay Moreover this practice of taking advances by giving taken chits would leave in his hands sums of money which he may use for his own purposes as long as it was possible to do so He was receiving these amounts in his capacity as Manager of the Sewage Farm and for a transaction connected with the Farm As such it was his bounden duty to enter such sums in the Farm Accounts and credit them to the Municipal Treasury The Municipality receives advances for various purposes If his conduct was bonafide and if his anxiety in taking these advances was only to see that the applicants did not back out, there was nothing to prevent him from entering these sums as advances in the accounts and crediting them in the Municipal Treasury The way in which he was doing this business viz , giving taken chits as he calls them, without entering the details in them and keeping the money with him for a number of months and while adjusting the same and giving receipts for the sums credited in the accounts, not giving any receipts or vouchers to the parties for his so-called Puja Fund do not establish his bonefides his action of the

official is grossly irregular and inexcusable

12 The only other charge that is referred to the Committee for enquiry is about the fodder charges recovered from the Municipal Treasury by the official in connection with a pound maintained on the Farm The history of this charge is as follows Since 1920 a Pound is being maintained on the Sewage Farm under the authority of a resolution passed by the Municipal Counci in order to prevent cattle from damaging crops on the Farm lands The collections of this pound used to be entered in the accounts of the Farm with the other realisations The then Chief Officer, the late Mr Mahomed Peer, when he inspected the Farm and the Pound on 19-9-1920 made the following order "The collections of the Pound should not be included in the other realisation of the Farm The fees etc , collected should be separately remitted every week and certificate obtained in the Register The Cattle Pound procedure should be followed in all respects" Since this order the collections of the pound used to be remitted to the Municipal Treasury and a certificate obtained in the register maintained in the pound The cattle that were impounded used to be fed out of the grass grown in the Farm and no separate fodder used to be bought for the maintenance of the cattle impounded Mr Munisiddappa who was in charge of the Farm and also the pound since 1920, after the order made by the Chief Officer as note above, began to send bills as Manager of the Sewage Farm to the Municipality from time to time for fodder charges and receive the amounts of those bills The following amounts have been drawn by Mr Munisiddappa as fodder charges -

	Amount
Up to end of June 1922	16 13 9
For the yeear 1922-23	11 7 6
" 1923-24	12 1 3
" 1924-25	17 14 3
" 1925-26	14 14 0
" 1926-27	8 4 0

For the year 1927-28	25	5	0
" 1928-29	16	7	0

The above fodder charges drawn by the official, do not, however, find a place in the Farm accounts and are not credited in those accounts Since the fodder supplied to the cattle impounded came from the Farm and since all the realisations of the pound were sent to the Municipal Treasury without deducting the expenses incurred for maintaining the impounded cattle, the amounts subsequently drawn from the Municipal Treasury on bills submitted as fodder charges do represent the realisations of a portion of the produce of the Sewage Farm and as such, should have been credited inthe Farm Accounts These amounts, in fact, do represent the sale of grass to the cattle pound from the Sewage Farm just like the sale of grass and other produce of the Farm to any other person The official, when called upon to furnish an explanation has given a long explanation in which he says that he represented to the then Chief Officer in 1922 that the "fodder charges (not spent for purchasing fodder to the cattle) realised from this pound may be distributed in exchange for rewards (which rate will exceed) to the staff employed for (1) impounding the cattle (2) providing water and fodder to the cattle and (3) maintaining pound registers etc , and to encourage the staff to take more interest in impounding cattle without allowing any of them to escape from the Farm limits in order to get more income from the pound" and that the Chief Officer approved of this proposal, and accordingly he began to draw the money on bills, and since "the amount of the fodder charges realised per month ranged from Rs 2 to Rs 3 and the staff employed on the Farm used to get for their share from about one anna to one anna six pies when distributed, the staff themselves proposed to add their share to the Pooja fund whenever they desired,

and that a sum of Rs 47-0-6 for the three previous years (i e 1926-27, 1927-28 and 1928-29) has thus been credited to the Pooja Fund" He also says that this has been explained in his report No 196 dated 26-3-27 on an audit objection dated 11-3-1927 This explanation requires examination The plea that he had the sanction of the Chief Officer to distribute these amounts as rewards among the members of the staff is not borne out by any writing It is inconceivable that the official would have acted like this without submitting a proposal in writing and obtaining written orders from the officer, especially seeing that he was drawing these amounts on formal bills submitted to the Municipality It is all very well now to say that he had the orders of the Chief Officer, who is now dead I am sure the Chief Officer would not have passed oral orders especially when he was aware that the amounts of these bills belonged properly to the Sewage Farm and if any rewards were necessary to be paid to the staff that amount had to come from the collections of the pound and not from the Sewage Farm realisations If this is true, what prevented the official from crediting these amounts in the accounts and debiting the same to the members of the staff as rewards given according to the orders of the Chief Officer and taking vouchers from them? Even in the explanation given by the official with regard to the audit objection, he does not say that he was distributing these amounts as rewards to the members of the staff according to the orders of the Chief Officer Except the statement of Marichanna who was a Daffedar of the Fa working under him and whose evidence now given before the Committee is in direct contradiction to what he has stated before Mr Seshappa and who had made complaints to the President about the order of his transfer made by th Municipal Engineer, there is no evidence to shew that

these amounts were being distributed as rewards to the Farm servants The official has not examined any witnesses to prove the fact that any rewards were being given to the Farm servants for doing any work in connection with the pound and that those servants gave them a quota of the reward to the Pooja Fund On the other hand there is the evidence of Mr Vajaraveloo Modaliar who was acting as the Manager of the Farm while official had taken leave in 1929, which goes to show that his present statement about the fodder charges being distributed as rewards to servants is not true This is what Mr Vajaraveloo Modaliar says in his evidence before the Committee

"On the day I handed over charge, I prepared the bill for fodder supplied to the Cattle in the Pound While preparing I asked Anantharamiah about the matter He told me that the amount was claimed as per mamool and that he did not knew how the amount was being disbursed That day also Mr Munisidappa came to the Farm and Mr Seshappa was also there That day I handed over charge of the Farm to Mr Seshappa I asked Mr Munisiddappa then as to what was being done with the fodder charges claimed for the cattle pound He told me that that amount was being credited to the Pooja Fund"

In cross-examination by the official's Advocate, he says -

"During my term of office clerk told me that fodder charges were claimed and drawn and that he did not know how Mr Munisiddappa was disposing them off On the day I handed over charge to Mr Seshappa, Mr Munisiddappa came to the Farm and then I asked him about the fodder charges He told me that there was an order that the fodder charges might be credited to the Pooja Fund' There is nothing elicited as to why this witness who is a responsible official of the Trust Board should

(4 -

give false evidence On the other hand the report that he made to the superior officer while he was in charge of the Farm (exhibit F) is more favourable to the official than damaging to him and this shows that he cannot be said to have been actuated by any ill-will towards Mr Munisiddappa, Now coming to his plea that he has already mentioned this in his explanation to the audit objection, though I have very grave doubts about that document since it does not bear the initials of any officer like the President or Vice-President who have dealt with this matter, still the mere fact that he has mentioned this matter about the revards to the members of the staff, which seems to me to be quite irrelavent as an answer to the objection of the auditor, does not prove that he was giving these monies as rewards to the members of the staff and that he had the authority, of the Chief Officer to do so What he says in that explanation as forthcoming now, is that "the amount in question was duly distributed in the usual course amongst the staff as per mamool" Thus the official has not duly accounted for the monies which admittedly ~~xxxxxx~~ belonged to the Sewage Farm and which he has received from 1922-to 1929 Out of this amount he has admittedly diverted the amount of Rs 47-0-6 (of the years 1926-27, 1927-28 and 1928-29) towards the Pooja Fund of which he is the sole master, and custodian and the expenditure of ~~is~~ is not controlled by anybody Thus the Sewage Farm ~~has~~ deprived of part of its revenues every year though it may be small amounts The conduct of the official in thus drawing Municipal Funds and not duly and satisfactorily accounting for them is not only grossly irregular but is something more which requires further investigation

13 Before closing this report, I wish to make a few observations with regard to the Pooja Fund said

to have been started by the official If, as the official says in his written statement, there was a necessity to perform some Pooja every year in order to dispel any fear from the minds of the ignorant and illeterate and superstious people working in the Farm, this could have been done by collecting subscriptions for the occasion every year with the permission of his official superior and celebrating it on a modest scale suited to the status and standard of living of the Farm servants working there Instead of doing this, th official under the guise of starting a Pooja Fund has been levying monies systematically from the poor people both farm servants and lessees, who from ~~then~~ their very position, could not resist this levy The Rules for the conduct of public servants clearly lay down that "Public officers should associate a committee of respectable ~~mare~~ men with them in all movements involving a call for and collection of public subscriptions, record the minutes of proceedings of such committees and keep regular and correct accounts of receipts and expenditures, and, above all, keep ~~them~~ their District Officers acquanited with the same" The strict compliance with this ~~sale~~ rule was all the more necessary in this case since the official was dealing with his own subordinate and lessees who are mostly ignorant, illiterate and poor and since it was not done casually once in a way, but was being done systematically almost every month Under the cloak of this Pooja Fund, the official has been collecting sums of money, which have increased yearly by year and which have remained under his sole custody to be utilised by him as he pleased without any check or interference by anybody Even the diversion of the legitimate funds of the Farm viz fodder charges, is sought to be justified ultimately behind the shelter of this Pooja Fund

14 In the long and voluminous written statement

filed by the official before the Committee, a good portion of it is devoted to a discussion of the alleged irregularities and so-called illegalities committed by the Ag President in the ~~x~~ enquiry made by him Since the Government has ordered ~~the~~ a fresh enquiry giving every opportunity to the official and cross-examine the witnesses and to produce any evidence which he wishes to produce and since the Committee started its enquiry afresh, there is no substance in the complaint made by the official with regard to the former enquiry In coming to the ~~conclussions~~ conclusions recorded above on the various charges, I have taken into consideration only the evidence of the witnesses examined and the documents filed before the committee and the explantory statement given by the official to the Ag President and the written statement filed by him before the Committee Such of the previous statements of the witnesses made in the former ~~enquiry~~ enquiry are used for the purpose of contradicting the witnesses and in favour of the official and not to his prejudice

Mysore
31-3-1930

A Krishna Rao
Municipal Councillor and member
of the Committee

Pet No 357

OFFICE OF THE DEWAN OF MYSORE

Bangalore dated 19 8 1930

£ 972

The accompanying petition addressed to the Dewan is forwarded with compliments to the Secretary to Government General Department

The Connected file is before the Second Member of Council Submitted for orders of the Hon'ble Minister who may await final orders on the main file

The file has since been received back I believe

By Order

Private Secretary to the Dewan

M. K Munisiddappa,
Manager,
Sewage Farm,

2096, Devaraja Mohalla,
Krishnaraja Mohalla,
Mysore 17th August 1930

OFFICE OF THE DIWAN
Dt. 19 30
No. 357

To

The Srigarnvelu Moodaliyar Esqr
Private Secretary to the Dewan
& Revenue Secretary
General
Bangalore.

Respected Sir,

I beg to enclose herein a copy of note of references relating to my case of dismissal which is pending before Government affairs engaging for favour of your information and I humbly request you to kindly peruse the same and help me in the early settlement of my case that is why I came to see the Dewan Saheb at the Lake View, Mysore, Yesterday to represent to him for the early settlement of my case and I had no opportunity to speak to him as expressed by you

I am a family man of 6 Children & other dependants and I am actually starving for the last over a year, along with them also I was dismissed from service on 16-8-29. It is already over 4 Months since the reports of the Enquiry Committee were submitted to Govt about the Middle of April 1930 and No Orders have yet been passed by Govt.

I therefore beg of you to kindly place the matter before the Dewan Saheb and the concerned Council Member and request them to kindly order early settlement of my case

For which act of Kindness & Charity I shall ever remain very grateful to you

I beg to remain,
Respected Sir,
Your Most Obedient Servant
M. Munisiddappa

Note relating to the case of dismissal of Mr R Munisseddappa, Manager, Sewage Farm Mysore City Municipality on Rs 100/- in the grade of Rs 80 - 5 - 100 by the ag President Mr Y Rama Swami who was also Municipal Engineer.

1 Certain charges were reported to Govt against the official in question by the President while the official was on 3 Months long leave

2 The official was dismissed from Serv-- on 16-8-29 by the ag President

3 The official appealed to Govt by a petition dated 5-9-29 praying for a regular enquiry of his case as per reasons set forth therein

4 Govt were very kind enough to order the Mun Council to make a fresh enquiry of the case & submit a detailed report in their order No L-2176 dated 20-9-29 Mc 3-29-30

5 Accordingly a regular enquiry was held by an Enquiry Committee appointed by the Mun. Council Consisting of 4 Mun Councillors & Mun. President from October 1929 to end of March 1930

6 Enquiry Committee reports were submitted to Govt about the middle of April 1930

7 No final orders have yet been passed by Govt though the reports of the Enquiry Committee were submitted about 4 Months back. Perhaps the Govt might have been busy

8 The official prays that favorable orders of Govt may be passed early in the matter as he is a family man with half a dozen children & the dependants all are suffering for the last year

Dated 14th August 1930

Diary No of letter replied to 972

General and Revenue Secretariat

the (*192*

Date of issue 9/9/29

Signed by M V S Sastri

May this be

i Printed?

ii treated as a standing order? H V

iii published in the Gazette English Part?

iv translated?

v placed at the disposal of the press?

vi published in the Gazette Kannada Part?

P U D

Sec Rev

File No 3 29

Serial No 88

Proceedings of the Government of His Highness the Maharaja of Mysore

Read –

1 Government Order No L575 Rev 3-29-4 dated the 19th July 1929 directing the dismissal & prosecution of Mr H R Nanjundiah Manager of the Mysore Sewage Farm for certain illegal practices at the Farm

2 Government Order No L2176 Rev 3-29-20 dated the 20th Sept 1929 directing a further enquiry in the case of Mr Nanjundiah and calling for a detailed report in the matter

3 Letter no G F 1577 dated the 12th/14th April 1930, from the President Mysore Agency submitting the Reports of the Committee

by the

P T O

Mr Cl for the purpose —
& Representation dated
the 17th August 1930 from Mr
Mr R Munisiddappa praying
that early orders may be
passed in his case
—— Order No L2200 – 2202
dt 9th Sept 1930 ——
— After careful consider-
ation of the matter, Government
direct that the order of
dismissal of Mr M R Muni-
siddappa be revoked and
that he ~~may~~ be reverted
to the Gardens Department —

List of enclosur

2 The period of absence
of Mr Munisiddappa from
the 16th Aug 1929 to the date of
re-joining duty will be treated
as leave without allowances

~~3 [illegible]~~

Copied by

Examined by

4th Gen Secy to Govt

Offg Jt Secy
3/9/30

To
The President Agricultural
Director of Horticulture in Mysore
~~Superintendent Govt Gardens~~

WD 079–GPB–8000–No 1629

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS
THE MAHARAJA OF MYSORE

Read -

Government Order No L 575/31 3-29-4 dated the 19th July 1929, directing the dismissal and prosecution of Mr M R Muniseddappa Manager of the Mysore Sewage Farm for certain illicit practices at the Farm

2 Government Order No L.2176/M1.3-29-20 dated the 20th September 1929, directing a further enquiry in the case of Mr Muniseddappa and calling for a detailed report in the matter

3 Letter No.G.I 1577 dated the 12/14th April 1930, from the President, Mysore City Municipal Council, submitting the reports of the Committee appointed by the Municipal Council for the purpose.

4 Representation dated the 17th August 1930 from Mr M R. Muniseddappa praying that early orders may be passed in his case

---

ORDER NO L. 2200-2202/ M13-29-8

Dated, Bangalore, the 9th September 1930.

After careful consideration of the matter, Government direct that the order of dismissal of Mr M R Muniseddappa be revoked and that he be reverted to the Gardens Department

2 The period of absence of Mr Muniseddappa from the 16th August 1929 to the date of re-joining duty will be treated as leave without allowances

V Sitharamayya

For General Secretary to Government.

To

The President, City Municipal Council, Mysore
" Director of Horticulture in Mysore
" Comptroller to the Government of Mysore

M.R.4.
8/9

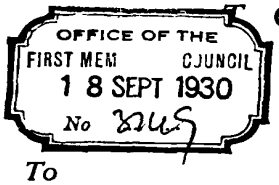
No GT 384
ENCL.

OFFICE OF THE PRESIDENT
CITY MUNICIPAL COUNCIL MYSORE

DATED 12th September 1930

Mul 3 29 - 88

FROM



T G RAMA IYER ESQ BA

President City Municipal Council

MYSORE

L 1453

To

The General Secretary to the Government
of His Highness the Maharaja of Mysore,
Bangalore

15/9/30

SIR

With reference to Government Order No 2200-2202/M1 3-29-88 dated 9th September 1930, directing among other things that Mr M R Munisiddappa, Manager of the Sewage Farm be reverted to the Gardens Department, I have the honour to state that he has been directed to report himself to the Director of Horticulture

I have the honour to be,
Sir,
Your most obedient servant,

President

PVR

Subd for perusal The main le re the issue of a D.O. to Mr Ramaswamy is under issue

16/9/30 (1st Member) 18 9 30

13-29-90

D.O No.L 2552

23 9 30

Dear Sir

In the course of their report about the illicit practices of Mr M R Munisiddappa, late Manager Of the Mysore Sewage Farm the Committee of enquiry have levelled against you certain serious allegations Before taking further action in the matter Government would like to ~~have your explanation on the same~~ know what you have anything further to say in the matter You may go over to the Secretariat on any office day, and the connected records which will be made available for the purpose to have a glance at (so through)

signed by M V S Sastry

Yours Sincerely

15 9 30

To

Y Ramaswamy, Esq B A , C E
Assistant Engineer
(on leave)
Sri Rampur Extension
Malleswaram P O
BANGALORE

(Off)
13/9/30

Md 5-24-72 391

No GT 524
Encl

OFFICE OF THE PRESIDENT
CITY MUNICIPAL COUNCIL MYSORE

DATED 10th October 1930

FROM

T G RAMA IYER Esq BA
President City Municipal Council
MYSORE

£ 1898

To

The General Secretary to the Government of
His Highness the Maharaja of Mysore
BANGALORE

Mr T V
DS 14/10/30

16/-

Sir

In continuation of my letter No G T 384 dated 12th September 1930 stating that Mr M R Munisiddappa Manager of the Sewage Farm had been directed to report himself for duty to the Director of Horticulture as per Government Order No 2200-2202/M1 3-29-88 dated 9th September 1930 I have the honour to state that the Director declined to take him for duty for reasons set forth in his letter No 745 dated 24th September 1930 to your address Mr Munisiddappa therefore once again reported himself for duty in this Office on the afternoon of 25th September 1930 As the question of his final posting remains thus unsettled I request the favour of early orders being passed on the Director's letter No 745 dated 24th September 1930 referred to above

I have the honour to be
Sir
Your most obedient servant

PRESIDENT

GVN

L 1922 Dtd 3-29-93

Kush,
12 Main road
Malleswaram
14 10 30

Dear Sir

On my return to
Bangalore yesterday
found no
addressed to me asking
me to call at the
Secretariat for appearing

Appendix F G—1

SUBJECT

Diary No of letter replied to 2691

General and Revenue Secretariat
( )
the 193

Date of issue 8/31

Signed by MVS Sastry

List of enclosures Records

Copied by

Examined by

Section ml
File No 3-29
Serial No 100
No L 5634
By Regd Post

To
The President
Nizam Sig ml-Cl

Sir In Conf of G.O No L 2200-2202 — ml 3-29-88 dy 9-9 30 I am directed to return herewith the Registered post mi deeds Connected with Mr Mumtiddaaha's Case & to request the favour of an acknowledgt thereof -

I have etc

19-12-30
for Gen Secy to Govt
(Def)

[over

WD02 59—GPB—25 000—25 6-30

18/12/30

Ml 3-29-02 47

GT 1132

OFFICE OF THE PRESIDENT
CITY MUNICIPAL COUNCIL MYSORE

DATED 15th January 1931

REV SECT
3624
16 JAN 1
L S G BP

OM

T G RAMA IYER Esq BA
President, City Municipal Council
MYSORE

The General Secretary to the Government of
His Highness the Maharaja of Mysore
BANGALORE

SIR,

With reference to your letter No L 5634/Ml 3-29-100 dated the 9th January 1931 I have the honour to state that I am in due receipt the records connected with Mr Munisiddappa's case

I have the honour to be
Sir
Your most obedient servant
Ramaiya
PRESIDENT

GVN